S4258-1-U

# MINNESOTA
# STATE COURT REPORT
# 1985 - 1986

Office of the State Court Administrator

Minnesota Supreme Court

230 State Capitol

St. Paul, Minnesota 55155

(612) 296-2474

November, 1987

# THE MINNESOTA SUPREME COURT

Front row, left to right: Honorable Lawrence R. Yetka, Chief Justice Douglas K. Amdahl, Honorable George M. Scott. Back row, left to right: Honorable Rosalie E. Wahl, Honorable Glenn E. Kelley, Honorable John E. Simonett, Honorable M. Jeanne Coyne.

# THE MINNESOTA COURT OF APPEALS

Front row, left to right: Honorable Harriet Lansing, Honorable D. D. Wozniak, Honorable Edward J. Parker, Chief Judge Peter S. Popovich, Honorable Daniel F. Foley, Honorable Susanne C. Sedgwick.
Back row, left to right: Honorable Gary L. Crippen, Honorable R. A. "Jim" Randall, Honorable Thomas G. Forsberg, Honorable Doris Ohlsen Huspeni, Honorable Roger J. Nierengarten, Honorable David R. Leslie.

Table of Contents

List of Tables . . . . . ii

List of Figures . . . . . ii

INTRODUCTION . . . . . 1
OVERVIEW OF THE MINNESOTA COURT SYSTEM . . . . . 2
Supreme Court . . . . . 3
Court of Appeals . . . . . 3
District Court . . . . . 4
County Court . . . . . 4
Municipal Court . . . . . 4
Conciliation Court . . . . . 5
Unified Districts . . . . . 5

APPELLATE COURTS . . . . . 7
Introduction . . . . . 8
Appellate Caseload Increases . . . . . 9
Increase in Petitions for Review . . . . . 11
Further Review Granted in 6% of Cases . . . . . 12
Cases Pending Reduced . . . . . 14
Case Processing Timely . . . . . 15
Oral Argument Increases Before Appellate Courts . . . . 17
Written Opinions Increase . . . . . 19
Statewide Appellate Panels . . . . . 22
Conclusion . . . . . 23

TRIAL COURTS . . . . . 24
Trial Court Jurisdiction . . . . . 25
Two Million Trial Court Cases Filed . . . . . 27
Major Case Filings Increase 20% in Two Years . . . . . 28
Trial Court Backlog Grows . . . . . 29
Trial Court Delay Reduced . . . . . 32
Trial Rates . . . . . 35
Judicial Time by Type of Case . . . . . 37
Criminal Cases and Judge Time . . . . . 40
General Civil Case Types . . . . . 42
Conclusion . . . . . 44

JUDICIAL EXPENDITURES AND REVENUES . . . . . 46
Judicial Branch Constitutes Fraction of State Budget . 47
Judicial Expenditures: Costs Shared by State and Counties . . . . . 48
Trial Court Revenues Shared . . . . . 49

NEW INITIATIVES . . . . . 50
Weighted Caseload . . . . . 51
Trial Court Information System Expansion . . . . . 55
Alternative Dispute Resolution . . . . . 57
Minnesota Conference of Chief Judges . . . . . 60

Appendix A. Pending Caseloads by Case Type and Judicial District . . . . . 63

## List of Tables


Table 1. Appellate Courts Case Filings 1983-86 . . . . . 9
Table 2. Supreme Court Case Filings by Type of Jurisdiction 1983-86 . . . . . 11
Table 3. Further Review of Court of Appeals Decisions . . . 12
Table 4. Case Processing Time in Median Days . . . . . 15
Table 5. Cases Receiving Oral Argument in Appellate Courts . . . . . 18
Table 6. Cases Disposed by Written Opinion in Appellate Courts . . . . . 20
Table 7. Trial Court Case Filings 1984-86 . . . . . 27
Table 8. Trial Court Filings, Dispositions and Pending Cases 1984-86 . . . . . 30
Table 9. Median Days from Filing to Disposition in Trial Courts 1984-86 . . . . . 33
Table 10. Dispositions and Trial Rates for Trial Courts . . 34
Table 11. Criminal Case Filings and Comparative Workload - 1986 . . . . . 40
Table 12. General Civil Cases by Category - Statewide in 1986 . . . . . 42
Table 13. 1986 Judge Need by Judicial District . . . . . 52
Table 14. Total Judge Time by Category during 1986 WCL Survey . . . . . 53


## List of Figures


Figure 1. Minnesota Court System . . . . . 6
Figure 2. Appellate Court Caseload 1983-86 . . . . . 10
Figure 3. Petitions for Further Review . . . . . 13
Figure 4. Pending Case Counts in Appellate Courts 1983-86 . 14
Figure 5. Oral Argument in Appellate Courts . . . . . 17
Figure 6. Percent of Cases Disposed by Written Opinion in Appellate Courts 1983-86 . . . . . 21
Figure 7. Judicial Districts in Minnesota . . . . . 26
Figure 8. Trial Court Major Case Filings 1984-86 . . . . . 28
Figure 9. Pending Counts for Major Civil and Criminal Case Types in the Trial Courts 1984-86 . . . . . 29
Figure 10. Median Days from Filing to Disposition in Trial Courts 1984-86 . . . . . 34
Figure 11. Number of Cases Disposed by Trial by Case Type 1985-86 . . . . . 36
Figure 12. Total Judge Time in 1986 by Case Type . . . . . 38
Figure 13. Total Judge Time in 1986 for Criminal Cases . . 41
Figure 14. Total Judge Time in 1986 for General Civil Cases . . . . . 43

## INTRODUCTION

In 1984 we reported dramatic improvement in the processing of appellate cases due in large part to the efficiency of the newly created court of appeals. The trial courts cleared serious criminal and civil cases from the calendar at the rate of 101%, dipping into backlogs. In answer to large increases in case filings, we reported new efforts to automate record-keeping and experiment in dispute resolution outside formal court hearings.

This year we point to further specific gains in our efforts to improve the administration of justice in this state.

# OVERVIEW OF THE MINNESOTA COURT SYSTEM

## OVERVIEW OF MINNESOTA COURTS

The judicial power of the State of Minnesota is vested in a supreme court, a court of appeals, a district court, and during the years of 1985-1986, three courts of limited jurisdiction. The supreme court and the district court are mandated by the state constitution. Establishment of the court of appeals is authorized by the constitution and the county, municipal, and conciliation courts were created by statute.

### Supreme Court

The supreme court is the court of last resort, hearing appeals directly from the workers' compensation court of appeals, tax court, first degree murder convictions, legislative contest appeals, and election ballot errors and omissions, and hearing appeals of court of appeals decisions at its discretion. The court may also issue all necessary writs and processes. The supreme court is comprised of a chief justice and six associate justices.

### Court of Appeals

The court of appeals is the state's intermediate appellate court. Its jurisdiction includes appeals from all trial courts, appeals from administrative agency decisions, and appeals from decisions of the commissioner of economic security. The court has the authority to issue all necessary writs and orders, and may issue writs of certiorari to all agencies, public corporations, and public officials, except the tax court and workers' compensation court of appeals. During 1985-1986, the court was comprised of a chief judge and 11 associate judges.

## District Court

The district court has original statewide jurisdiction in all civil and criminal actions within district boundaries. In general, civil cases in which the amount of controversy is $15,000 or more and felony and gross misdemeanor violations are heard in district court. There are 10 judicial districts and 173 district judges. In two districts, encompassing Ramsey and Hennepin counties, a family court division, probate division, and juvenile court division existed in the district court until mid-1986.

## County Court

The county court has exclusive jurisdiction in probate and juvenile matters. The court has civil jurisdiction over matters involving up to $15,000, and criminal jurisdiction over gross misdemeanors, misdemeanors, and petty misdemeanors. The county court also has a family court division, a conciliation court, and traffic and ordinance violation bureaus. There are 47 county court judges. The county court exercises appellate jurisdiction over conciliation court cases; matters from conciliation court are heard de novo in county courts.

## Municipal Court

Municipal court existed in Hennepin and Ramsey counties until mid-1986. The court had jurisdiction over civil matters involving up to $15,000, and criminal jurisdiction over gross misdemeanors, misdemeanors, and petty misdemeanors. The municipal court exercised appellate jurisdiction over conciliation court cases; matters from conciliation court were

heard de novo in municipal court. Municipal court ceased to exist when the district and municipal courts in Hennepin and Ramsey counties unified.

### Conciliation Court

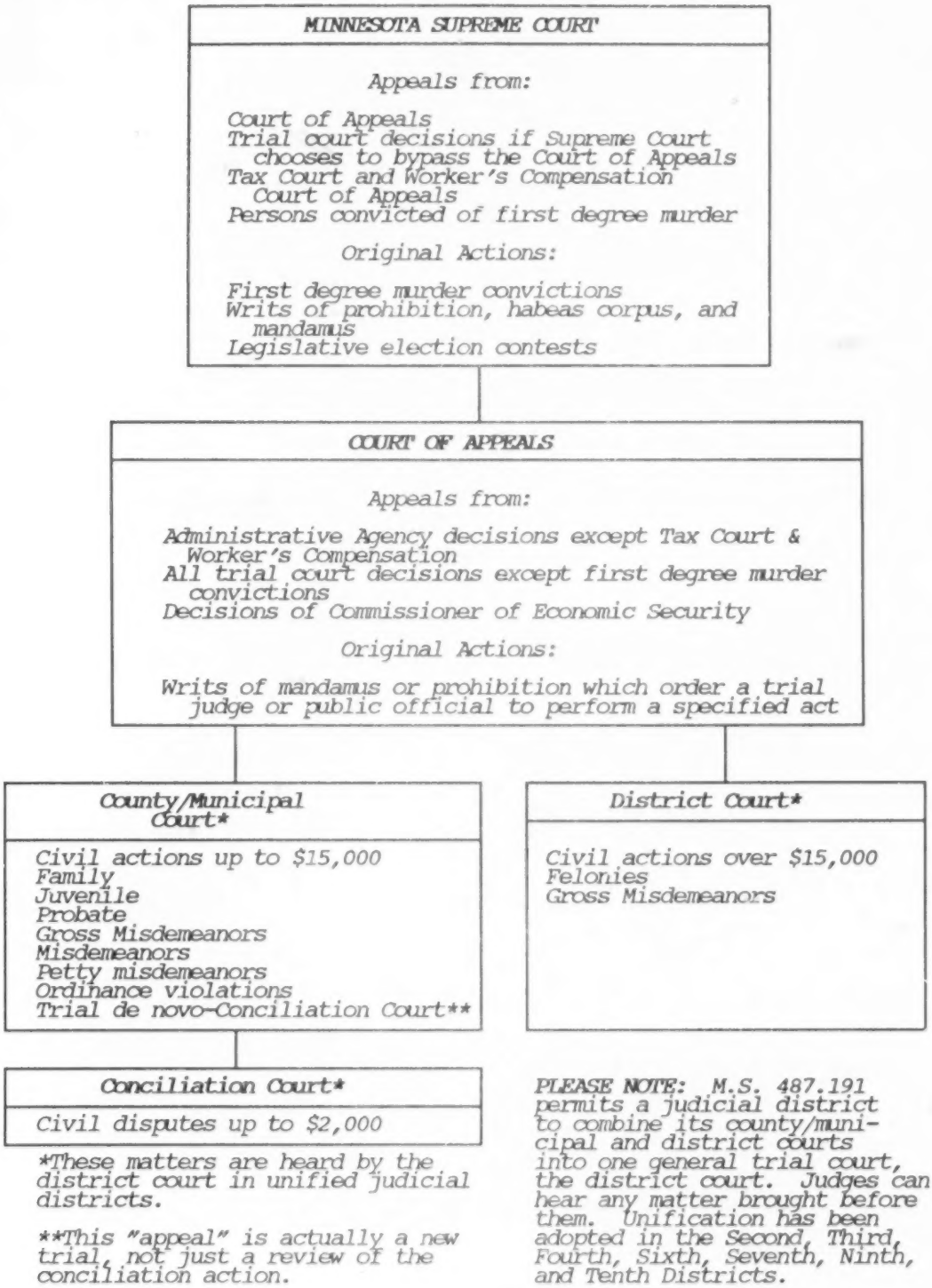
Conciliation court is a division of the county or district court, having jurisdiction in civil cases involving up to $2,000. Judges serve in conciliation court, except in Hennepin and Ramsey counties where attorneys serve as court referees.

### Unified Districts

Minnesota Statutes, section 487.191 permits a judicial district to combine its county, municipal and district courts into one general trial court, the district court. To accomplish this a majority of the county/municipal judges and a majority of the district court judges must vote in the affirmative and certify their intention to reorganize with the secretary of state. Reorganization is effective one year following certification.

Under a unified system all judges are called district court judges and are empowered to hear any matter brought before them. All judges run for reelection, district-wide, as incumbent judges of the district court. The Second, Third, Fourth, Sixth, Seventh, Ninth and Tenth Judicial Districts have reorganized. The three remaining districts, the First, Fifth and Eighth, have filed their reorganization certificates with the secretary of state and will become reorganized in mid-1987.

Figure 1. Minnesota Court System.


MINNESOTA SUPREME COURT
Appeals from:
Court of Appeals
Trial court decisions if Supreme Court chooses to bypass the Court of Appeals
Tax Court and Worker's Compensation Court of Appeals
Persons convicted of first degree murder
Original Actions:
First degree murder convictions
Writs of prohibition, habeas corpus, and mandamus
Legislative election contests
COURT OF APPEALS
Appeals from:
Administrative Agency decisions except Tax Court & Worker's Compensation
All trial court decisions except first degree murder convictions
Decisions of Commissioner of Economic Security
Original Actions:
Writs of mandamus or prohibition which order a trial judge or public official to perform a specified act
County/Municipal Court*
Civil actions up to $15,000
Family
Juvenile
Probate
Gross Misdemeanors
Misdemeanors
Petty misdemeanors
Ordinance violations
Trial de novo-Conciliation Court**
District Court*
Civil actions over $15,000
Felonies
Gross Misdemeanors
Conciliation Court*
Civil disputes up to $2,000

*These matters are heard by the district court in unified judicial districts.

**This "appeal" is actually a new trial, not just a review of the conciliation action.

*PLEASE NOTE:* M.S. 487.191 permits a judicial district to combine its county/municipal and district courts into one general trial court, the district court. Judges can hear any matter brought before them. Unification has been adopted in the Second, Third, Fourth, Sixth, Seventh, Ninth, and Tenth Districts.

# APPELLATE COURTS

## INTRODUCTION

Minnesota's relatively new two-tiered appellate court system continued its remarkable performance during the 1985-1986 period. As is demonstrated on the following pages, a larger number of appeals were decided, with more oral argument, a greater frequency of written decisions, and in a shorter time frame than at any time in recent memory.

## Appellate Caseload Increases

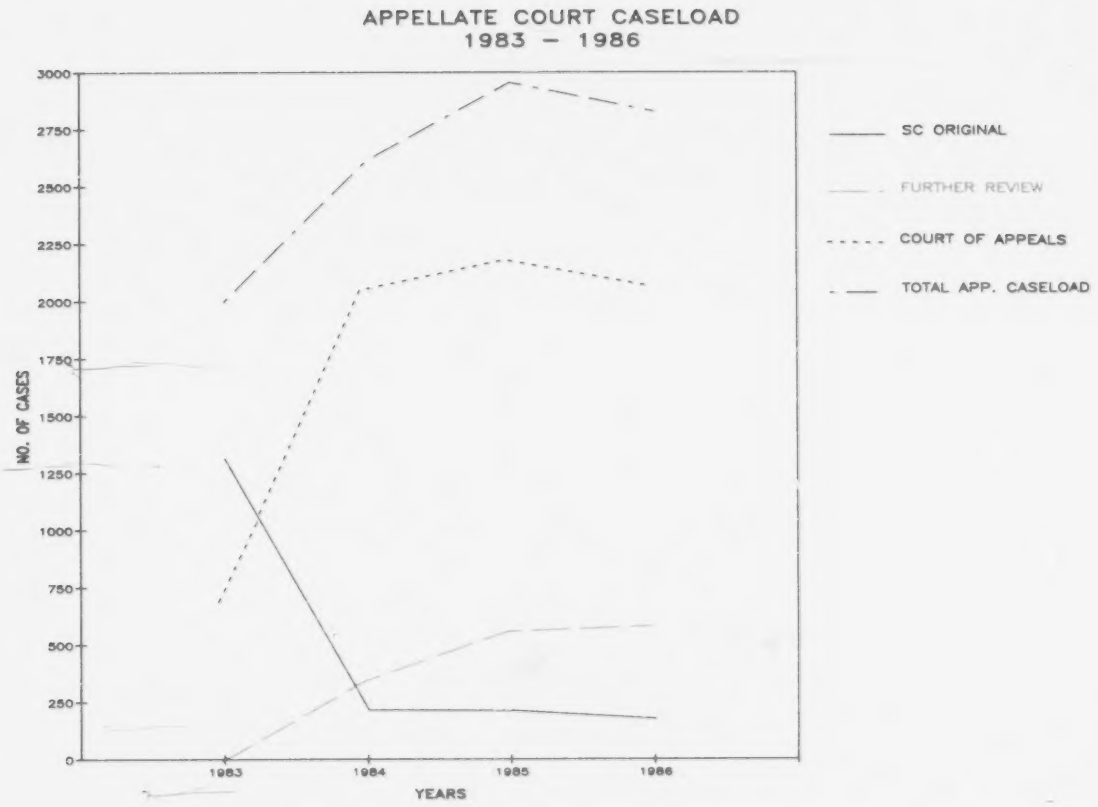
The total appellate caseload, including cases handled by the supreme court and the court of appeals, has increased by 8% since 1984.

In the supreme court, petitions for further review have increased by 65% since 1984, while original jurisdiction cases have decreased by 19%. Court of appeals filings have totaled more than 2000 cases each year since 1984.

Table 1. Appellate Courts Case Filings 1983-86

| | Supreme Court | | | | |
|---|---|---|---|---|---|
| Year | Original Juris. | Further Review | Total | Court of Appeals | Grand Total |
| 1983 | 1311 | 6 | 1317 | 680 | 1997 |
| 1984 | 216 | 361 | 577 | 2036 | 2613 |
| 1985 | 212 | 573 | 785 | 2168 | 2953 |
| 1986 | 176 | 595 | 771 | 2055 | 2826 |
| Percentage changes: | | | | | |
| 1983-84 | -84% | 5917% | -56% | 199% | 31% |
| 1984-85 | -2% | 59% | 36% | 6% | 13% |
| 1985-86 | -17% | 4% | -2% | -5% | -4% |
| 1984-86 | -19% | 65% | 34% | 1% | 8% |

Figure 2. Appellate Court Caseload 1983-1986.



## Increase in Petitions for Review

By mid-1984, the court of appeals was in full operation, turning out an average of about 190 dispositions per month. Petitions for further review of court of appeals decisions by the supreme court also increased to a monthly average of about 45 cases. The new appellate system was fully underway.

Table 2. Supreme Court Case Filings by Type of Jurisdiction 1983-86

| | Original Jurisdiction | | Further Review | | Total | |
|---|---|---|---|---|---|---|
| Year | Number | Pct | Number | Pct | Number | Pct |
| 1983 | 1311 | 100% | 6 | 0% | 1317 | 100% |
| 1984 | 216 | 37% | 361 | 63% | 577 | 100% |
| 1985 | 212 | 27% | 573 | 73% | 785 | 100% |
| 1986 | 176 | 23% | 595 | 77% | 771 | 100% |

Since 1984, about three-quarters of the supreme court's caseload has been petitions for further review, and one-quarter original jurisdiction cases. The petitions which are granted further review require double processing by the supreme court: once to determine whether the petition is to be granted, and again to decide the merits of the case.

## Further Review Granted in 6% of Cases

The court of appeals has, on average, disposed of more than 2,000 cases each year for the past three years. Of these, about one-fourth have been further appealed to the supreme court. Of these petitions for further review, about one-fourth have been granted by the supreme court. Overall, only 6% of the court of appeal's decisions are granted further review by the supreme court.

Table 3. Further Review of Court of Appeals Decisions

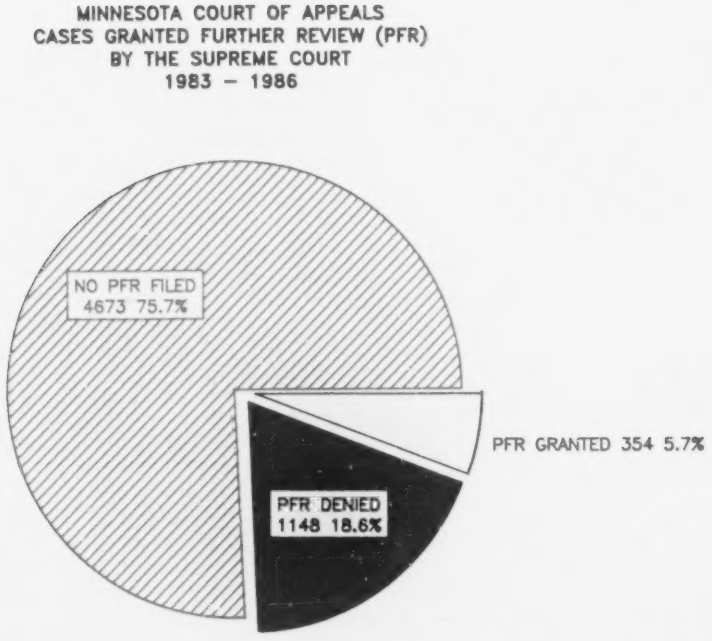
Petitions as a percentage of cases disposed:

| Year | Cases Disposed | Pct | Petitions for Further Review: Filed | Pct | Denied | Pct | Granted | Pct |
|---|---|---|---|---|---|---|---|---|
| 1983 | 117 | 100% | 27 | 23% | 27 | 23% | 0 | 0% |
| 1984 | 1834 | 100% | 199 | 11% | 142 | 8% | 57 | 3% |
| 1985 | 2142 | 100% | 692 | 32% | 514 | 24% | 178 | 8% |
| 1986 | 2082 | 100% | 584 | 28% | 465 | 22% | 119 | 6% |
| Total | 6175 | 100% | 1502 | 24% | 1148 | 19% | 354 | 6% |

Denials/granting as a percentage of petitions filed:

| Year | Petitions for Further Review: Filed | Pct | Denied | Pct | Granted | Pct |
|---|---|---|---|---|---|---|
| 1983 | 27 | 100% | 27 | 100% | 0 | 0% |
| 1984 | 199 | 100% | 142 | 71% | 57 | 29% |
| 1985 | 692 | 100% | 514 | 74% | 178 | 26% |
| 1986 | 584 | 100% | 465 | 80% | 119 | 20% |
| Total | 1502 | 100% | 1148 | 76% | 354 | 24% |

Figure 3. Petitions for Further Review.

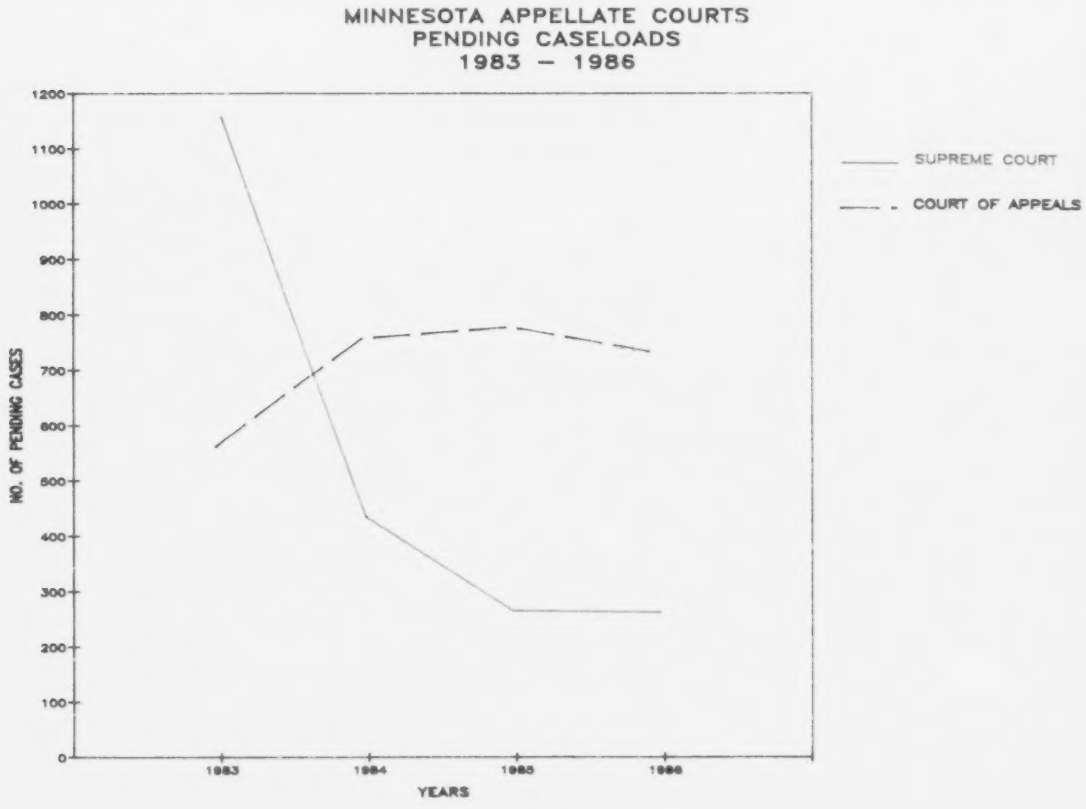


## Cases Pending Reduced

All courts have a pool of cases which are being processed. If this pool of cases gets too large, individual cases will be delayed between processing steps. For example, a case may have to wait for an extra time before getting a hearing, even though it is ready to be heard. These delayed cases are referred to as being in a backlogged status. Backlog and case delay combine to form a vicious circle leading to further backlog and delay. For that reason, it is desirable to keep the current caseload as small as possible, to guard against backlog and delay.

Since the creation of the court of appeals the supreme court has reduced the number of cases pending before it by 77%; the court of appeals has reduced its pending case count by 3% since 1984.

Figure 4. Pending Case Counts in Appellate Courts 1983-1986.



## Case Processing Timely

"Justice delayed is justice denied." Thus, the speed with which cases are processed, assuming all other things are equal, is an indicator of the quality of justice dispensed.

Prior to the establishment of the court of appeals, the supreme court had difficulty in processing its massive and growing caseload in a timely fashion.[1] Since the establishment of the court of appeals, much improvement has been achieved in case processing. These improvements are detailed in Table 4.

Table 4. Case Processing Time in Median Days

| | Supreme Court | | Court of Appeals | | Total | |
|---|---|---|---|---|---|---|
| Year | Oral | Nonoral | Oral | Nonoral | Oral | Nonoral |
| 1983 | 340 | 275 | 118 | 114 | 338 | 273 |
| 1984 | 432 | 463 | 201 | 160 | 214 | 259 |
| 1985 | 235 | 218 | 200 | 166 | 201 | 172 |
| 1986 | 245 | 164 | 187 | 166 | 193 | 166 |
| Percentage changes: | | | | | | |
| 1983-84 | 27% | 68% | | | -37% | -5% |
| 1984-85 | -46% | -53% | -0% | 4% | -6% | -34% |
| 1985-86 | 4% | -25% | -7% | 0% | -4% | -3% |
| 1983-86 | -28% | -40% | | | -43% | -39% |

Since 1983, the year the court of appeals was established, the time required to dispose of cases orally has decreased by 43% for the appellate court system. For nonoral cases, the decrease has also been a substantial 39%.

These accomplishments are particularly noteworthy in that they have occurred in the face of rising caseloads over the last

---

[1] See The New Minnesota Appellate Court System: Report on the First Full Year of Operation 1984, St. Paul: Office of the State Court Administrator, 1985, and Minnesota Supreme Court: Report on Operations 1986, St. Paul: Office of the State Court Administrator, 1987.

few years. The appellate courts have worked hard to deliver the highest quality of justice to the citizens of the state.

## Oral Argument Increases Before Appellate Courts

The opportunity for litigants to argue their positions in person to the court is highly desirable. Oral argument focuses the attention of the court on a particular case for a specified length of time, and allows the parties involved to articulate their points of appeal in the presence of the court. In some cases, nevertheless, oral argument is unnecessary, e.g., in cases where there is a stipulated dismissal, denial, or other disposition where issues are clear and capable of adequate presentation in written briefs.

In 1983, before the court of appeals became fully operational, the volume of cases before the supreme court allowed scheduling of oral argument in only 7% of the cases. In 1986 the court of appeals granted oral argument in 42% of the cases, while the supreme court granted oral argument in 54% of its cases. Overall, 43% of appellate cases are heard orally.

Figure 5. Oral Argument in Appellate Courts.

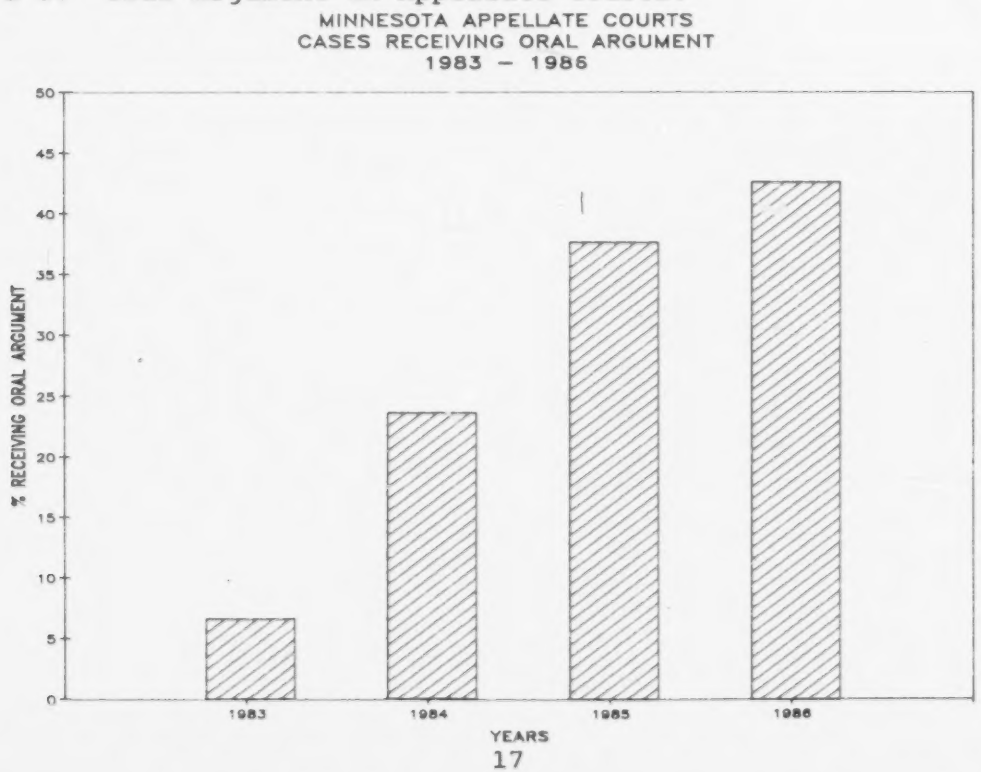


Table 5. Cases Receiving Oral Argument in Appellate Courts

Supreme Court

| Year | Cases Disposed[2] | Oral Argument Number | Oral Argument Pct |
|---|---|---|---|
| 1983 | 1359 | 96 | 7% |
| 1984 | 948 | 88 | 9% |
| 1985 | 436 | 130 | 30% |
| 1986 | 318 | 171 | 54% |

Court of Appeals

| Year | Cases Disposed | Oral Argument Number | Oral Argument Pct |
|---|---|---|---|
| 1983 | 117 | 7 | 6% |
| 1984 | 1834 | 592 | 32% |
| 1985 | 2142 | 856 | 40% |
| 1986 | 2082 | 866 | 42% |

Total

| Year | Cases Disposed | Oral Argument Number | Oral Argument Pct |
|---|---|---|---|
| 1983 | 1476 | 103 | 7% |
| 1984 | 2782 | 680 | 24% |
| 1985 | 2578 | 986 | 38% |
| 1986 | 2400 | 1037 | 43% |

[2] Disposed cases include cases processed to final disposition by the supreme court but not petitions for further review which were denied.

## Written Opinions Increase

By written opinion, the court states its reasons for deciding a case in a certain way, thus providing the litigants with information regarding their particular situation, and additionally serving to educate and inform the legal profession and the public generally about the law and how it is applied to specific instances.

Not every case will warrant a written opinion. Cases disposed by dismissal, denial or other disposition, for example, may require no additional explanation by the court. However, full written opinions are desirable in cases involving a significant legal issue.

Prior to the establishment of the court of appeals, the heavy workload of the supreme court severely restricted the amount of time it could spend drafting written opinions. However, the percentage of written dispositions in appellate cases has increased dramatically in recent years. In 1983 only 24% of the appellate cases were disposed of by written opinion; by 1986, almost two-thirds of the cases disposed received a written opinion.

Table 6. Cases Disposed by Written Opinion in Appellate Courts

Supreme Court

| Year | Cases Disposed | Cases Disposed by Written Opinion | |
|---|---|---|---|
| | | Cases | Pct |
| 1983 | 1359 | 330 | 24% |
| 1984 | 948 | 436 | 46% |
| 1985 | 436 | 237 | 54% |
| 1986 | 318 | 211 | 66% |

Court of Appeals

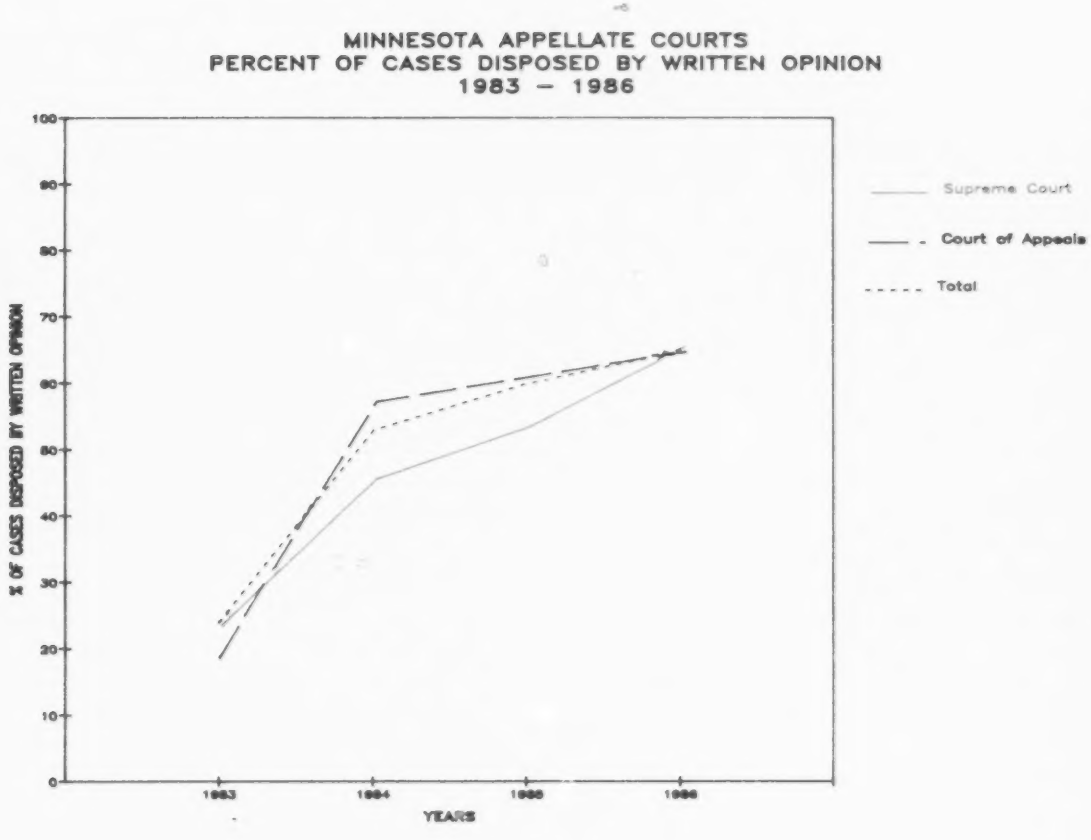
| Year | Cases Disposed | Cases Disposed by Written Opinion | |
|---|---|---|---|
| | | Cases | Pct |
| 1983 | 117 | 22 | 19% |
| 1984 | 1834 | 1052 | 57% |
| 1985 | 2142 | 1299 | 61% |
| 1986 | 2082 | 1355 | 65% |

Total

| Year | Cases Disposed | Cases Disposed by Written Opinion | |
|---|---|---|---|
| | | Cases | Pct |
| 1983 | 1476 | 352 | 24% |
| 1984 | 2782 | 1488 | 53% |
| 1985 | 2578 | 1536 | 60% |
| 1986 | 2400 | 1566 | 65% |

NOTE: Supreme court dispositions do not include PFRs denied.

Figure 6. Percent of Cases Disposed by Written Opinion in Appellate Courts 1983-1986



## Statewide Appellate Panels

To bring the administration of justice closer and make it more accessible to the public, the court of appeals travels to a number of locations throughout the state during the year to hear cases in the geographical area in which they originate. A total of 236 court sessions were held in 1985, 171 in Minneapolis/St. Paul, and 65 in outstate Minnesota. In 1986 a total of 202 sessions were scheduled, 147 in Minneapolis/St. Paul, and 55 in outstate Minnesota.

| | 1985 | 1986 |
|---|---|---|
| Judicial District 1, Shakopee | 10 | 5 |
| Judicial District 2, St. Paul | 136 | 127 |
| Judicial District 3, Rochester | 5 | 3 |
| Owatonna | 4 | 4 |
| Judicial District 4, Minneapolis | 35 | 20 |
| Judicial District 5, New Ulm | 6 | 8 |
| Judicial District 6, Duluth | 3 | 4 |
| Hibbing | 3 | 3 |
| Judicial District 7, Moorhead | 3 | 1 |
| St. Cloud | 6 | 7 |
| Judicial District 8, Litchfield | 0 | 7 |
| Willmar | 6 | 0 |
| Judicial District 9, Bemidji | 8 | 7 |
| Judicial District 10, Anoka | 11 | 6 |
| Total | 236 | 202 |

## Conclusion

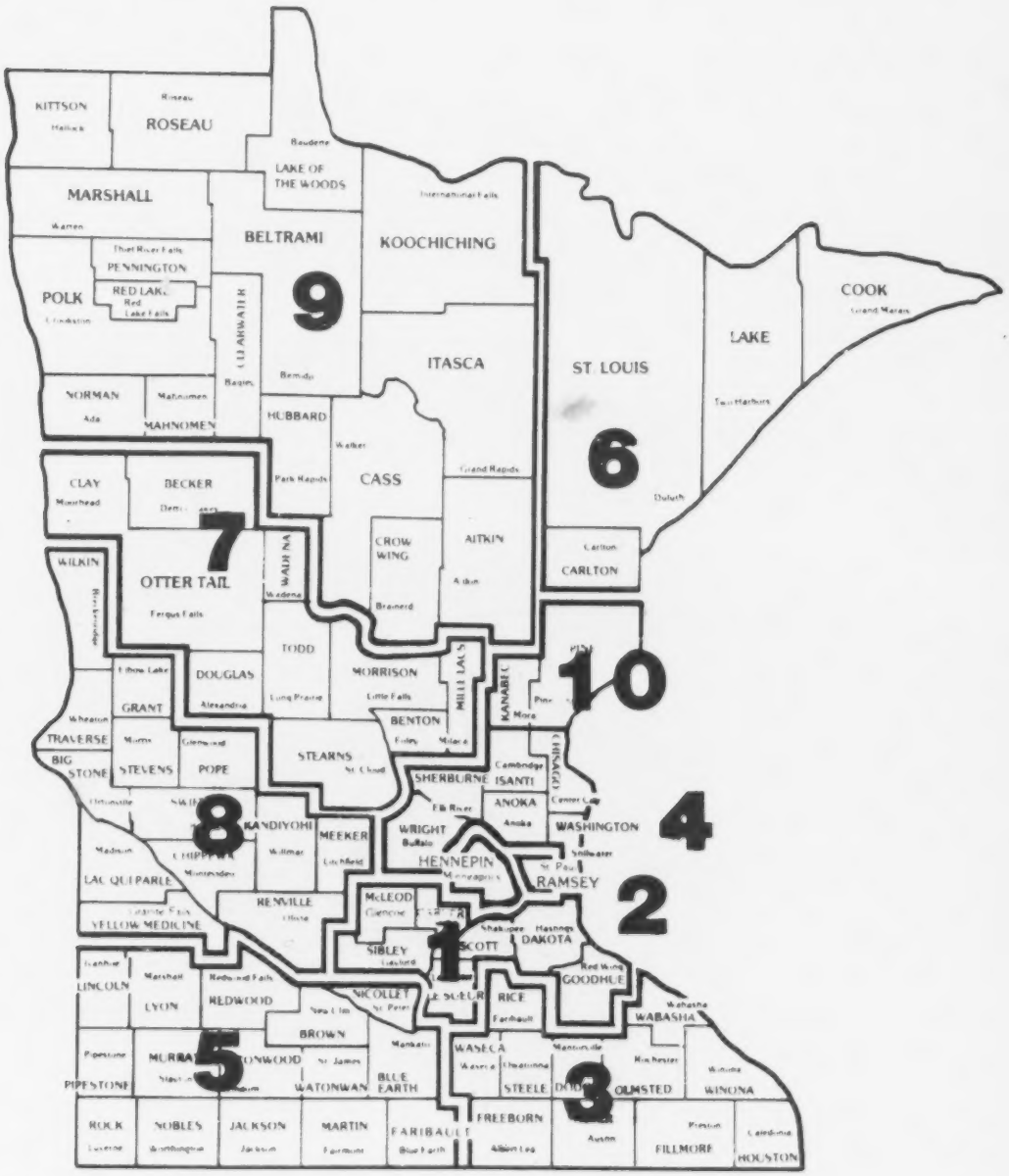
The new Minnesota appellate court system continues to exceed the expectations of those who supported the creation of the court of appeals in 1983. Despite increasing caseloads, Minnesota's appellate courts have been able to reduce backlogs and to permit more litigants to argue their positions in person before the courts. The number of appellate cases disposed of by written disposition increased dramatically over the past several years. Moreover, as hoped when the court of appeals was established, the supreme court has been able to shift its focus from high volume case disposition to selective and deliberative review of only the most legally significant cases. The 1985-1986 years continued the system's record of excellent performance.

# TRIAL COURTS

## Trial Court Jurisdiction

The trial courts of Minnesota have original statewide jurisdiction in all civil and criminal actions. There are 220 trial court judges located throughout the state with a local court administrator managing court operations in each county. Although trial courts operate in each of the 87 counties, they are organized for administrative purposes into 10 judicial districts. Trial court operations in each judicial district are supervised by a chief judge and an assistant chief judge with the aid of a judicial district administrator.

Figure 7. Judicial Districts in Minnesota



## Two Million Trial Court Cases Filed

In 1986 over two million cases were filed in Minnesota's trial courts. Of those cases, there were 219,200 filings[3] of major cases in the categories of criminal, general civil, probate, family and juvenile. The data in Table 7 represent individual cases and include all charges associated with a single complaint.

Table 7. Trial Court Case Filings 1984-86

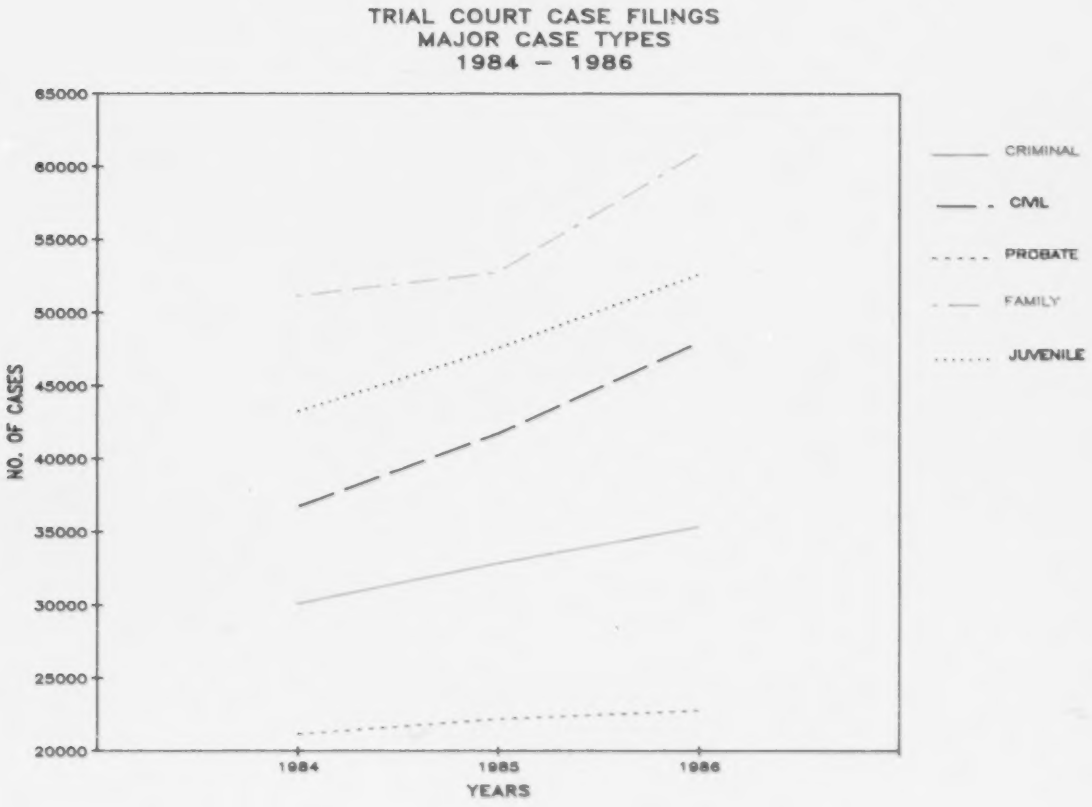
| Case Type | Number of Cases | | | Percent Change | | |
|---|---|---|---|---|---|---|
| | 1984 | 1985 | 1986 | 1984-1985 | 1985-1986 | 1984-1986 |
| **Minor case types** | | | | | | |
| Parking | 884,626 | 874,029 | 876,411 | -1% | 0% | -1% |
| Traffic | 633,825 | 625,853 | 827,236 | -1% | 32% | 31% |
| Juv traffic | 13,949 | 14,719 | 16,459 | 6% | 12% | 18% |
| Misdemeanors | 110,329 | 113,014 | 123,020 | 2% | 9% | 12% |
| Conciliation | 90,414 | 99,985 | 102,873 | 11% | 3% | 14% |
| Total | 1,733,143 | 1,727,600 | 1,945,999 | -0% | 13% | 12% |
| **Major case types** | | | | | | |
| Criminal | 30,149 | 32,774 | 35,170 | 9% | 7% | 17% |
| Civil | 36,763 | 41,759 | 47,980 | 14% | 15% | 31% |
| Probate | 21,165 | 22,238 | 22,810 | 5% | 3% | 8% |
| Family | 51,281 | 52,670 | 60,589 | 3% | 15% | 18% |
| Juvenile | 43,280 | 47,581 | 52,651 | 10% | 11% | 22% |
| Total | 182,638 | 197,022 | 219,200 | 8% | 11% | 20% |
| Grand Total | 1,915,781 | 1,924,622 | 2,165,199 | 0% | 12% | 13% |

[3] Filings are defined here as case activations plus case reactivations. Cases are "activated" upon an activating event: in criminal, the event is the first appearance; in civil cases, the event is a note of issue, party ready for trial, or any hearing; in juvenile, probate and minor cases, the case is activated upon filing. Case activations are a more uniform and valid measure of the workload before a given court than new filings.

**Major Case Filings Increase 20% in Two Years**

Since 1984, major case filings have increased by 20% and minor case filings have increased by 12% for an overall increase of 13%. There are many more minor cases filed, but the major cases take much more time in court. Figure 8 shows the rate of increase for each case type.

Figure 8. Trial Court Major Case Filings 1984-1986.

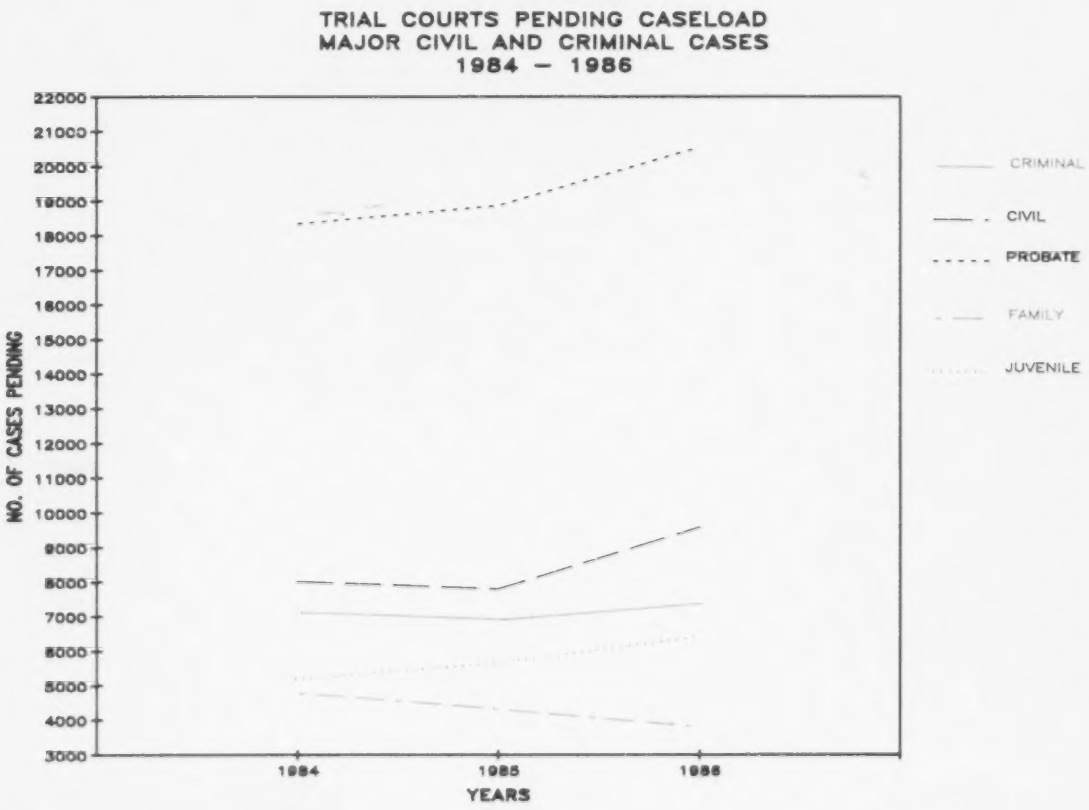


## Trial Court Backlog Grows

In recent years, the number of major cases filed in trial courts has increased steadily. While filings have grown by 20% since 1984, the trial courts have been able to increase their dispositions by only 17%. Thus, even though the trial courts disposed of 30,826 more cases in 1986 than in 1984, the backlog of cases in the trial courts has grown by 10% over the last two years.

Increases in the number of pending cases have occurred in all case types except family cases, which showed a 20% decrease. Figure 9 plots the backlog for these case types.

Figure 9. Pending Counts for Major Civil and Criminal Case Types in the Trial Courts 1984-86



A further meaningful workload statistic, the calendar clearance rate, is shown in Table 8. The calendar clearance rate is defined as total dispositions divided by total filings multiplied by 100. A clearance rate of 100% means the court is disposing of exactly as many cases as are filed; it is keeping up with its caseload. A rate of greater than 100% means the court is cutting its backlog while a rate of less than 100% means the court is losing ground in processing cases.

Table 8. Trial Court Filings, Dispositions and Pending Cases 1984-86.

| | Number of Cases | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 1984-1985 | 1985-1986 | 1984-1986 |
| Criminal filed | 30,149 | 32,774 | 35,170 | 9% | 7% | 17% |
| disposed | 29,009 | 32,967 | 34,684 | 14% | 5% | 20% |
| pending | 7,182 | 6,989 | 7,475 | -3% | 7% | 4% |
| clearance | 96% | 101% | 99% | | | |
| Civil filed | 36,763 | 41,759 | 47,980 | 14% | 15% | 31% |
| disposed | 38,564 | 41,910 | 46,115 | 9% | 10% | 20% |
| pending | 8,200 | 8,049 | 9,914 | -2% | 23% | 21% |
| clearance | 105% | 100% | 96% | | | |
| Probate filed | 21,165 | 22,238 | 22,810 | 5% | 3% | 8% |
| disposed | 23,456 | 21,710 | 21,134 | -7% | -3% | -10% |
| pending | 18,332 | 18,860 | 20,536 | 3% | 9% | 12% |
| clearance | 111% | 98% | 93% | | | |
| Family filed | 51,281 | 52,670 | 60,589 | 3% | 15% | 18% |
| disposed | 51,536 | 53,113 | 61,097 | 3% | 15% | 19% |
| pending | 4,839 | 4,396 | 3,888 | -9% | -12% | -20% |
| clearance | 100% | 101% | 101% | | | |
| Juvenile filed | 43,280 | 47,581 | 52,651 | 10% | 11% | 22% |
| disposed | 41,506 | 47,075 | 51,867 | 13% | 10% | 25% |
| pending | 5,369 | 5,875 | 6,659 | 9% | 13% | 24% |
| clearance | 96% | 99% | 99% | | | |
| Total filed | 182,638 | 197,022 | 219,200 | 8% | 11% | 20% |
| disposed | 184,071 | 196,775 | 214,897 | 7% | 9% | 17% |
| pending | 43,922 | 44,169 | 48,472 | 1% | 10% | 10% |
| clearance | 101% | 100% | 98% | | | |

Over the past three years, Minnesota's trial courts have been unable to dispose of as many cases as are filed each year in many case type categories. This has resulted in an increased number of pending cases which, in turn, is likely to cause greater case processing delays in the future.

Pending case statistics are given in Appendix A for each judicial district by case type.

## Trial Court Delay Reduced

In 1985, case processing time objectives were established to reduce the time from filing to disposition in certain categories of cases. The development of time standards was encouraged by Chief Justice Douglas K. Amdahl. The Judicial District Administrators Association reviewed national work on time standards and submitted recommendations for such standards to the Caseflow Management Committee of the Conference of Chief Judges. The Caseflow Committee in turn forwarded the recommendations, with some modifications, to the full conference for approval. The standards were submitted for comments to various segments of the state trial bar and were ultimately adopted by the Conference for administrative purposes.

Since 1984, progress has been made in meeting these case processing objectives and, where the objectives have already been met, making further improvements in case processing time.

For civil jury cases, the standards specify a median of 210 days; in 1986, the trial courts disposed of these cases in 227 days, a 26% reduction from the 308 day median disposition time in 1984. For civil non-jury cases the standard is 120 days; in 1986 the trial courts disposed of the cases in a median time of 141 days, a 41% reduction since the time standards were introduced.

Criminal cases are handled well within the time standards. For felony cases, the standard is 110 days while the actual median time is 91 days. For gross misdemeanors, the standard is 90 days and the courts are disposing of these cases in 56 days.

Although there has been an increase in delinquency case

processing time since 1984, delinquency and other juvenile cases are nevertheless handled within the guideline times. For delinquency cases, the standard is 35 days for juveniles in custody and 45 days if they are not in custody. Overall, delinquency cases are handled in less than 35 days.

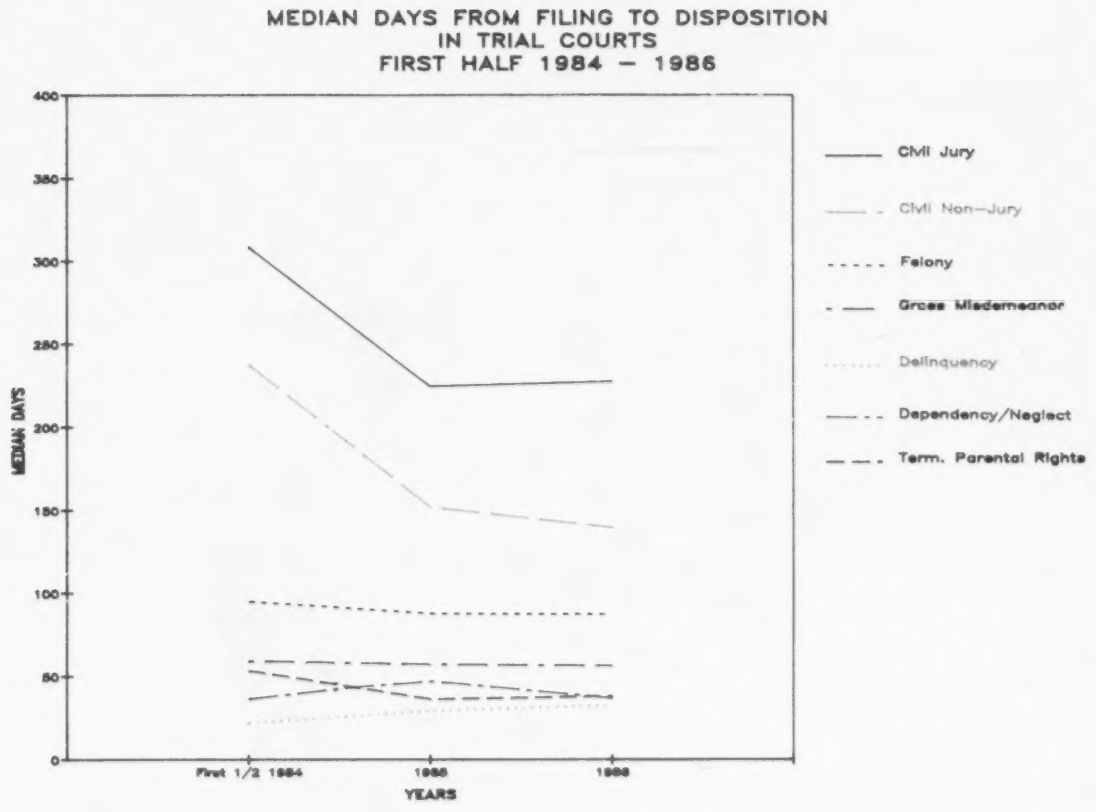
Dependency/neglect cases are disposed of in a median time of 41 days, while the standard is 60 days for out-home placements and 90 days for in-home placements. For termination of parental rights cases, the standard is 90 days; these cases are disposed of in 38 days.

Generally, case processing time is decreasing in the trial courts. For criminal and juvenile cases, the standards are being met, while for civil cases, the trial courts are closely approaching the standard. The figures shown in Table 9 are for all state trial courts in aggregate.

Table 9. Median Days from Filing to Disposition in Trial Courts 1984-1986.

| | Median | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1st Half 1984 | 1985 | 1986 | 1984-1985 | 1985-1986 | 1984-1986 |
| Civil Jury | 308 | 224 | 227 | -27% | 1% | -26% |
| Civil Non-Jury | 238 | 153 | 141 | -36% | -8% | -41% |
| Felony | 98 | 91 | 91 | -7% | 0% | -7% |
| Gross Misdemeanor | 59 | 57 | 56 | -3% | -2% | -5% |
| Delinquency | 23 | 31 | 34 | 35% | 10% | 48% |
| Dependency/Neglect | 41 | 50 | 41 | 22% | -18% | 0% |
| Term Par Rights | 53 | 36 | 38 | -32% | 6% | -28% |

Figure 10. Median Days from Filing to Disposition in Trial Courts 1984-1986.



## Trial Rates

In the trial courts, about 5% of all cases closed are disposed by trial. The rate varies by case type, as shown in Table 10, from about 2% of family cases being disposed by trial to almost 10% of all general civil cases.

Table 10. Dispositions and Trial Rates for Trial Courts

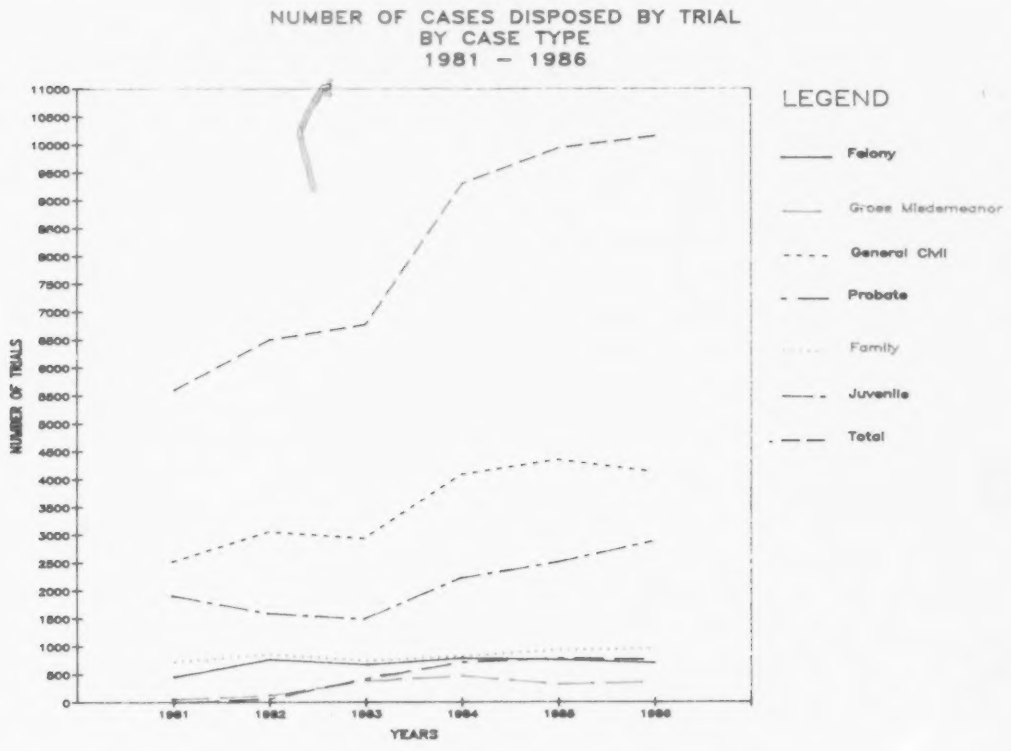
| Year | 1985 | 1986 | % Change |
|---|---|---|---|
| **Number of Cases Disposed/Deactivated** | | | |
| Felony | 19,113 | 19,227 | 1% |
| Gross Misdemeanor | 13,284 | 14,849 | 12% |
| General Civil | 39,938 | 44,979 | 13% |
| Probate | 20,922 | 21,118 | 1% |
| Family | 51,551 | 60,063 | 17% |
| Juvenile | 47,472 | 52,887 | 11% |
| Totals | 192,280 | 213,123 | 11% |
| **Number of Cases Disposed by Trial** | | | |
| Felony | 764 | 706 | -8% |
| Gross Misdemeanor | 442 | 498 | 13% |
| General Civil | 4,368 | 4,164 | -5% |
| Probate | 798 | 774 | -3% |
| Family | 1,049 | 1,093 | 4% |
| Juvenile | 2,526 | 2,927 | 16% |
| Totals | 9,947 | 10,162 | 2% |
| **Percentage of Cases Disposed by Trial** | | | |
| Felony | 4.0% | 3.7% | -8% |
| Gross Misdemeanor | 3.3% | 3.4% | 1% |
| General Civil | 10.9% | 9.3% | -15% |
| Probate | 3.8% | 3.7% | -4% |
| Family | 2.0% | 1.8% | -11% |
| Juvenile | 5.3% | 5.5% | 4% |
| Totals | 5.2% | 4.8% | -8% |

From 1985 to 1986, the number of major cases disposed by trial increased by 2%, while the total number of cases

disposed/deactivated increased by 11%. This led to a reduction in the rate of cases disposed by trial from 5.2% to 4.8%.

With essentially the same number of judges in 1986 as in 1985, the trial courts disposed of more cases and held more trials. This is a continuing trend over the past several years.[4] Since trials are the most time consuming manner of concluding court cases, this has resulted in a substantial increase in the workload of trial judges statewide.

Figure 11. Number of Cases Disposed by Trial by Case Type 1985-1986




[4] See The Minnesota Courts: 1984, St. Paul: State Court Administrator, 1985, for an analysis of 1982-84 trials.

## Judicial Time by Type of Case

The number of cases filed and disposed of in a court has limited informational value. A manufacturing company would not be in business long if it only knew that it had to make 100 widgets, but knew nothing about how much time and effort it took to make a widget. Similarly, it is imperative, from a court management and planning point of view, to know how much time is needed to dispose of cases of certain types.

Not all cases take the same amount of resources, both judicial and non-judicial. Some case types take consistently more or less time than other case types. A medical malpractice case, for example, is probably more complicated and takes more time than a criminal misdemeanor.

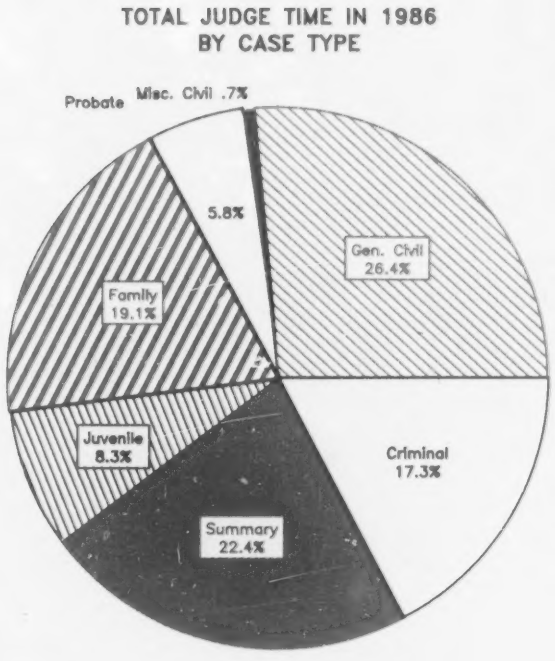
The problem is how to measure the amount of judge time that a particular case type takes. Once that is determined, then the number of judges needed to dispose of the caseload can be calculated.

The means for doing this is the weighted caseload study. This study is discussed later in this report, and will not be detailed here. The weighted caseload study provides case weights, which represent the number of minutes, on average, that judges spend on a particular type of case. Thirty-seven case types are measured by the study, and the weights range from an average of 0.2 minutes of judge time per parking case to an average of 685.1 minutes of judge time per medical malpractice case. These weights do not mean that each judge does or should spend exactly this amount of time on each case, but rather

represent the number of minutes, on average, that judges actually spend on these cases. Over time, and across a number of judges and cases, the averages will be met.

Using these case weights, we can determine how much judge time is spent on each case type. Figure 12 shows the breakdown of judge time by general case type category.

Figure 12. Total Judge Time in 1986 by Case Type



From Figure 12, we can see that judges, in aggregate, spend most of their time on general civil cases (26.4%). The next most common category are summary case types, with 22.4%.[5] Following closely are family cases (19.1%) and criminal cases (17.3%). Taking much less judge time in aggregate are juvenile cases (8.3%), probate cases (5.8%), and miscellaneous civil cases, including trusts and judgments, (.7%).

The information in Figure 12 is for the entire state; similar analyses are performed for each county separately and are useful in calendaring cases and determining judicial and non-judicial resource needs.

---

[5] Summary case types include conciliation court cases, traffic and non-traffic misdemeanors and petty misdemeanors, juvenile traffic, and parking cases. They are referred to as "summary" cases because they are reported in summary fashion monthly by the counties.

## Criminal Cases and Judge Time

Criminal cases vary greatly in complexity and seriousness, from felonies to gross misdemeanors to misdemeanors and petty misdemeanors. Generally, the more serious cases are also the less common cases. From the perspective of the court system, however, the more serious cases require the most judicial work.

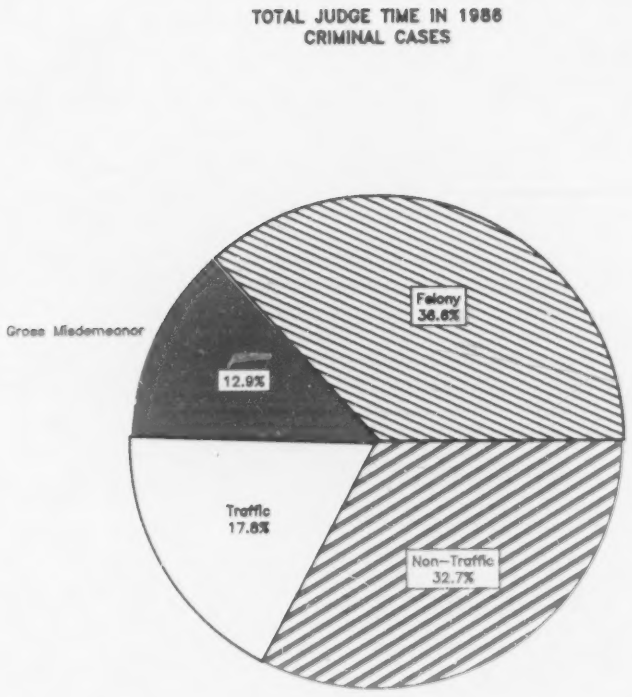
As shown in Table 11, felony cases comprise only 2% of the total number of criminal cases brought to court in 1986. However, they accounted for 37% of the total criminal judicial workload for the year. Similarly, gross misdemeanor cases account for only 2% of the total cases but 13% of the total workload. Total judge time in Table 11 is shown in minutes and represents the total amount of judge time necessary to dispose of the caseload.

Table 11. Criminal Case Filings and Comparative Workload - 1986

| Category | Number of Cases | Percent of Cases | Total Judge Time | Percent of Total |
|---|---|---|---|---|
| Felony | 12,365 | 2% | 2,200,777 | 37% |
| Gross Misdemeanor | 12,121 | 2% | 770,410 | 13% |
| Traffic | 123,020 | 16% | 1,054,751 | 18% |
| Non-traffic misd/petty misd | 627,236 | 81% | 1,953,792 | 33% |
| Total | 774,742 | 100% | 5,979,730 | 100% |

Traffic and non-traffic misdemeanors and petty misdemeanors accounted for about 96% of the criminal caseload but only 51% of the total criminal workload.

Figure 13. Total Judge Time in 1986 for Criminal Cases



## General Civil Case Types

General civil cases comprise a wide range of actions, including personal injury, contract disputes, unlawful detainers and implied consents. Table 12 shows the number of cases of each type which were first activated in 1986.

Table 12. General Civil Cases by Category - Statewide in 1986

| Category | Number of Cases | Percent of Cases | Total Judge Time | Percent of Total |
|---|---|---|---|---|
| Personal injury | 3,969 | 11% | 1,160,978 | 25% |
| Contract | 5,920 | 16% | 1,513,293 | 32% |
| Wrongful Death | 324 | 1% | 86,850 | 2% |
| Malpractice | 192 | 1% | 131,548 | 3% |
| Property Damage | 658 | 2% | 172,527 | 4% |
| Condemnation | 202 | 1% | 56,575 | 1% |
| Unlawful Detainer | 14,139 | 38% | 173,774 | 4% |
| Implied Consent | 2,327 | 6% | 171,356 | 4% |
| Conciliation Appeals | 2,683 | 7% | 214,398 | 5% |
| Other | 6,843 | 18% | 976,591 | 21% |
| Total | 37,257 | 100% | 4,657,890 | 100% |

The most common category, with 38% of the total, is unlawful detainers. The next most numerous type of case is other civil,[6] with 18% of the total, followed by contract disputes (16%), personal injury (11%), conciliation appeals (7%), and implied consents[7] (6%).

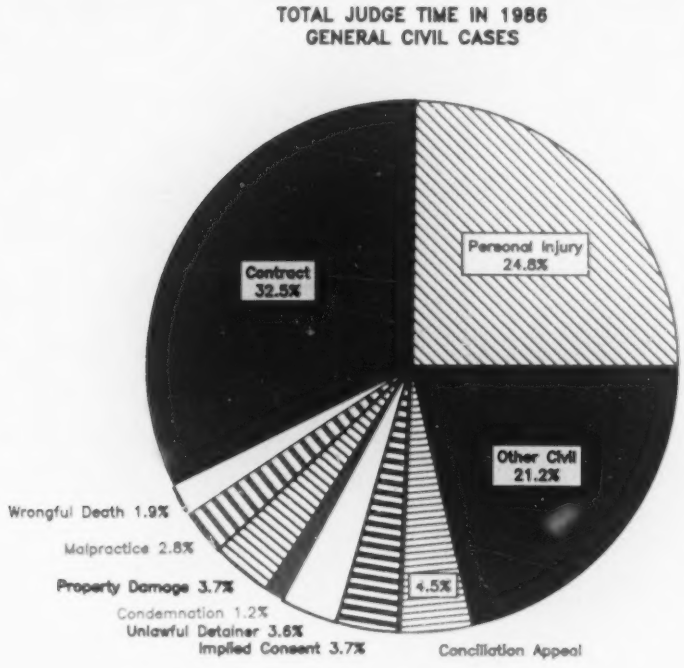
Figure 14 shows the amount of judge time spent on each general civil case type.

---

[6] Other civil includes such actions as appeals from administrative agencies, attorney malpractice, change of name, corporate dissolution, declaratory judgment, discrimination, minor settlement, mortgage foreclosure, quiet title, real estate tax petitions, receivership, replevin, torrens, and writs.

[7] Implied consents arise from an arrest under the DWI statutes and are actions seeking to revoke driving privileges.

Figure 14. Total Judge Time in 1986 for General Civil Cases




Of the judge time spent on general civil cases, the majority is spent on contract disputes (32.5%), personal injury cases (24.8%), and other civil cases (21.2%). Relatively little time is spent on conciliation appeals (4.5%), implied consents (3.7%), and unlawful detainers (3.6%), considering the large numbers of cases filed of these types. Wrongful death, medical malpractice, property damage, and condemnation cases require more judicial time (a total of 9.6% of general civil time) than might be expected based on the number of filings for these case types.

It is therefore important to look at the number of filings by specific case type for planning purposes. A relatively small numerical increase in the numbers of cases filed of specific types could lead to a large increase in judicial need.

## Conclusion

The information presented on the previous pages concerning the work and the workload of the trial courts indicates the following:

- caseloads are growing,
- dispositions are increasing,
- case clearance rates are decreasing,
- the number of pending cases is increasing,
- trial rates are holding steady or decreasing slightly, and
- case processing times are improving.

The challenge today is to interpret accurately the trends which have emerged over the last several years and to secure and deploy appropriately the resources necessary to maintain a high quality of justice in Minnesota.

Many programs and changes are underway in the trial court system to accomplish this. Trial court unification plans have been adopted by all judicial districts and are in the process of being implemented. Merger of the two trial courts -- county/municipal and district court -- into a single district court system statewide is now an accomplished fact. However, there likely will be a period where various problems associated with the unified court will have to be worked out before the efficiencies of this new system can be fully realized.

New initiatives have been undertaken in the area of case calendaring. For example, Hennepin county civil cases have been assigned in a "block" system, where a judge receives a certain

number of cases and then is responsible for working on that set of cases until they are disposed. This type of system has been found to be useful in reducing case delay.

Other delay reduction plans have been implemented throughout the state. Improved management information is being made available to the courts through the State Judicial Information System (SJIS) and the Trial Court Information System (TCIS), and is being put to use in better managing caseloads.

New trial court judgeships have recently been added by the legislature. A total of twenty-one new judgeships were authorized, although only eleven were actually funded in the current biennium. The additional ten judgeships are sorely needed in the high-growth areas of the state, and it is critical that they be funded in the next biennium. Some areas of the state are experiencing rapid caseload growth along with rapid population growth, requiring new judicial resources to handle the caseload.

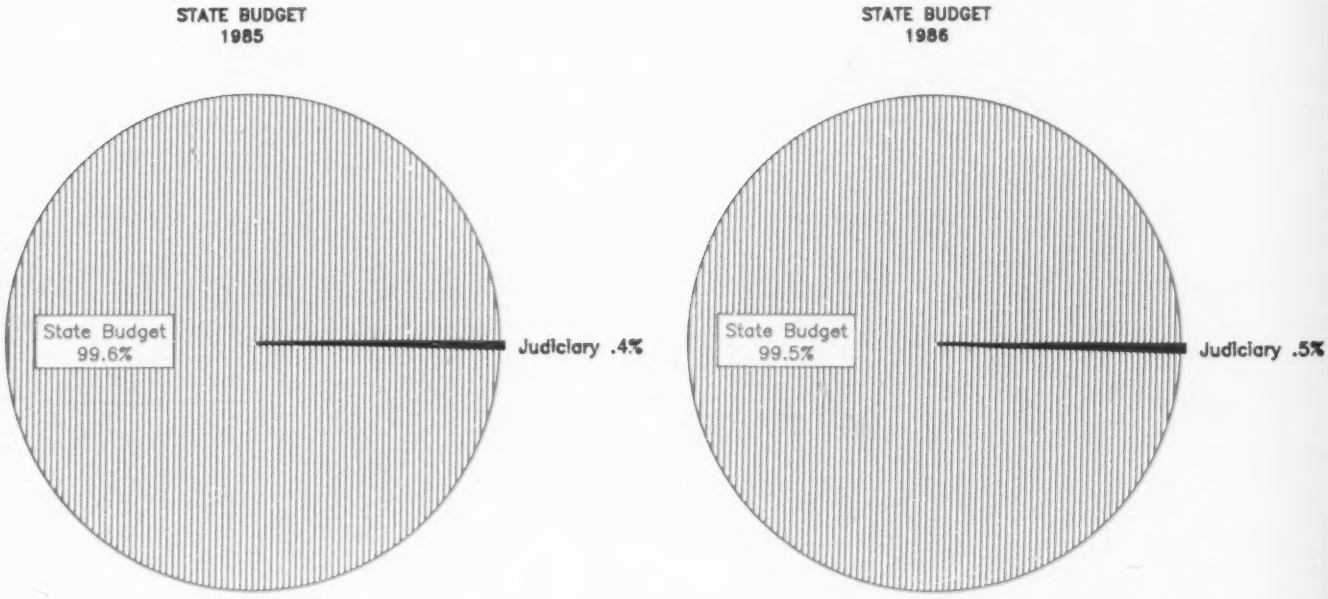
The trial court record of performance during the 1985-1986 period was impressive. The number of cases disposed of during the period grew by 17%. More trials were conducted and in nearly every major case type category the time to disposition was cut substantially. Reorganization was implemented in most districts and new case management systems were tested. The accomplishments of the past several years are substantial, and assure the citizens of this state of a vital and effective trial court system.

# JUDICIAL EXPENDITURES AND REVENUES

## Judicial Branch Constitutes Fraction of State Budget

In 1985 the total state budget was $4,762,394,700. The state-funded judicial budget, $20,888,200, represented a fraction of the entire state budget, approximately four-tenths of one percent.

In 1986 the total state budget was $5,112,671,100 and the state-funded judicial budget was $25,723,800, approximately one-half of one percent of the entire state budget.



## Judicial Expenditures: Costs Shared by State and Counties

Both county and state government contribute funds to the judicial system. In 1985, 76% of the financial support for the judicial system was provided by the counties, and 24% was contributed by state government. In 1986, the financial support was shared 72% by the counties and 28% by state government.

County funds go toward trial court operations, including the cost of court administrator personnel, facilities, capital outlay and operating expenses. State funds are allocated toward state level operations of the court system, including the supreme court, court of appeals, state court administrator, and state law library. State funds supplement trial court budgets by payment of salaries, benefits, and expenses of trial judges and the salaries and benefits of district administrators.

The total cost for maintaining the state court system in 1985 was $86,833,283. The cost in 1986 was $92,114,638.*

**1985 County Funding**

| | |
|---|---|
| Personnel | $51,571,384 |
| Professional | 3,766,063 |
| Jury Fees | 2,869,970 |
| Witness Fees | 277,671 |
| Operating Exp. | 6,003,368 |
| Capitol Outlay | 671,371 |
| Miscellaneous | 785,256 |
| | $65,945,083 |

**1986 County Funding**

| | |
|---|---|
| Personnel | $52,187,472 |
| Professional | 3,924,749 |
| Jury Fees | 2,768,118 |
| Witness Fees | 232,119 |
| Operating Exp. | 5,301,555 |
| Capitol Outlay | 680,129 |
| Miscellaneous | 1,296,694 |
| | $66,390,838 |

**State Funding**

| | |
|---|---|
| Trial Judges | $12,302,100 |
| District Adm. | 544,200 |
| Supreme Court | 3,516,900 |
| Court of App. | 1,948,100 |
| State Ct. Adm. | 2,059,900 |
| State Law Lib. | 517,000 |
| | $20,888,200 |

**TOTAL FUNDING: $86,833,283**

**State Funding**

| | |
|---|---|
| Trial Judges | $15,276,000 |
| District Adm. | 595,700 |
| Supreme Court | 3,470,000 |
| Court of App. | 2,887,300 |
| State Ct. Adm. | 2,872,700 |
| State Law Lib. | 622,100 |
| | $25,723,800 |

**TOTAL FUNDING: $92,114,638**

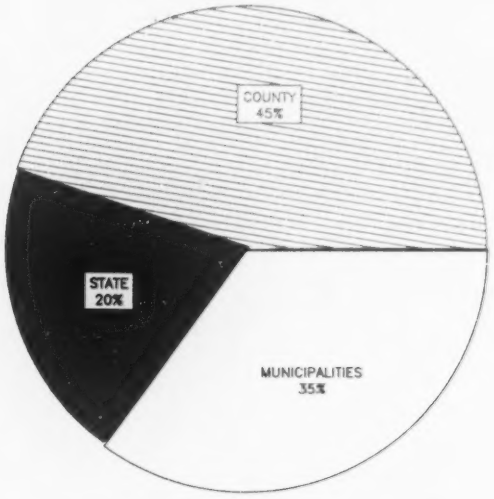
*The 6% increase in the funding of the judicial system is primarily attributable to increases in judicial salaries and increases in the state's funding of the state judicial information system.

## Trial Court Revenues Shared

In 1985, $55,642,634 was collected by the trial courts from fees, fines and surcharges. In 1986 the total amount collected increased 3% to $57,237,965. These funds are distributed to municipal, county, and state governments: municipalities receive a portion of fines collected as reimbursement for prosecuting criminal offenses; county government receives fees and a portion of the fines collected; the state receives various surcharges and a portion of fines which fund special programs.

Over the past two years the proportional distribution of trial court revenues remained constant, as depicted below.

TRIAL COURT REVENUE
DISTRIBUTION OF FUNDS
1985 & 1986




**TRIAL COURT REVENUE**

| 1985 | | 1986 | |
|---|---|---|---|
| County Government = | $24,820,858 | County Government = | $25,657,975 |
| State Government = | $11,341,537 | State Government = | $11,385,594 |
| Municipalities = | $19,480,239 | Municipalities = | $20,194,396 |
| **TOTAL** | **$55,642,634** | **TOTAL** | **$57,237,965** |

# NEW INITIATIVES

## Weighted Caseload

Since 1980, the Minnesota judiciary has utilized a weighted caseload analysis (WCL) to determine the need for judicial resources at the trial court level. Due to changes in law, legal procedure, and court organization, the 1980 study results had become outdated. During 1986, a new weighted caseload study was completed, providing the court system with current information concerning the number and location of needed trial court judgeships throughout the state.[8]

The WCL analysis provides an objective measure of the number of judges required to dispose of the caseload in a given jurisdiction. It serves as a tool for policy makers to provide for the rational deployment of judgeships according to existing workload needs. Since different types of cases require and receive different amounts of judicial attention, the application of weights to case filing provides a more useful measure of workload than does the mere number of cases filed. Each year the case weights are applied to new case filings in order to calculate judicial need. Table 13 below shows the judicial need results for 1986.

The actual number of judicial positions, including full-time equivalent referees and judicial officers, is also shown in Table 13. Judicial need is calculated to the nearest one-tenth of a judge. Since judges cannot be placed in fractions, the judicial

---

[8] Further information on the WCL study can be obtained from the Research and Planning Office, State Court Administrator's Office, 1745 University Ave. W., Suite 302, St. Paul, MN 55104, (612) 649-5935.

need has been rounded up at the district level. In districts for which the WCL indicates a surplus of judicial positions, a further analysis has been undertaken which takes into account the location of and need for judges within smaller clusters of counties within the district. This is an "access adjustment" and represents an attempt to find an optimum placement of judges within the district to adequately serve the ongoing need for judicial resources as well as to provide for judicial availability when warrants, complaints, and orders need to be signed.

Table 13. 1986 Judge Need by Judicial District.

| District | Actual | 1986 WCL Judicial Need | Access Adj | 1987 Shortage |
|---|---|---|---|---|
| First | 22 | 25.3 | 26 | 4 |
| Second | 32.2 | 32.5 | 33 | 0.8 |
| Third | 22.5 | 19.6 | 21 | -1.5 |
| Fourth | 59 | 69.7 | 70 | 11 |
| Fifth | 19 | 13.7 | 17 | -2 |
| Sixth | 16 | 15.9 | 16 | 0 |
| Seventh | 19 | 19.6 | 20 | 1 |
| Eighth | 12 | 8.8 | 10 | -2 |
| Ninth | 20 | 17.9 | 20 | 0 |
| Tenth | 26 | 29.3 | 30 | 4 |
| State | 247.7 | 252.3 | 263 | 15.3 |

Under the "1987 Shortage" column in Table 13 above, a negative number indicates a judicial position that could, at some future time, be moved to another location which would better serve the caseload needs. A positive number indicates a position that should be added, either through transfer or creation of a new position.

In 1986, the state had a total of 247.7 judicial positions.

A total of twenty additional positions were required to provide adequate judicial resources in the First, Fourth, Seventh and Tenth judicial districts.

WCL also provides policy makers with some insight into the time spent on various judicial functions. Table 14 shows the total number of judge hours reported during the survey period by activity type. About 78% of a judge's time is spent on case related activities, while 22% is spent on non-case related activities. About 40% of a judge's time is spent on the bench, and 38% is spent on non-bench case related activities.

During the weighted caseload survey, almost 64,000 hours of judge time was reported. This represents nearly 9,000 work days, or 43 judge work years.

Table 14. Total Judge Time by Category during 1986 WCL Survey

| Category | Hours | % |
|---|---|---|
| Bench time | 25,587 | 40% |
| Non-bench case research | 14,959 | 24% |
| Other non-bench | 8,946 | 14% |
| Total non-bench | 23,905 | 38% |
| Total case related time | 49,492 | 78% |
| Non-case related time | 14,153 | 22% |
| Total time | 63,645 | 100% |

The WCL provides a wealth of information useful in better managing the trial courts. In addition to estimating judicial need, WCL results are used in assigning retired judges,

conducting workload analyses for assignment/calendaring planning, designating chambers assignments, judicial district redistricting, and cross-district judge assignment.

## Trial Court Information System Expansion

The Trial Court Information System (TCIS), a division of the state court administration information systems office, provides a comprehensive, on-line recordkeeping and management system for the trial and appellate courts of the state. This automated court management system provides many advantages over manual recordkeeping systems, including:

- Better Financial Management. TCIS provides reports and notices to facilitate oversight and collection of outstanding fines and revenues which result in increased revenues. Additionally, financial management is improved through TCIS' comprehensive financial/accounting system. For example, Stearns County increased its revenues by $126,157 from 1984 to 1985, even though the caseload remained stable, attributing most of the revenue to TCIS. Revenues for 1986 nearly matched those for 1985.

- More Efficient Court Management. TCIS saves staff time through faster records retrieval, automated passing of data to criminal justice agencies, and automated production of court documents such as scheduling notices, court calendars, delinquent payment notices and warrants. Time savings as empirically measured and reported by users includes:

  - 63.7% average reduction for month-end financial work;
  - 49.6% average reduction for traffic cases;
  - 50.5% average reduction for monitoring fine and restitution payments;
  - 68.7% average reduction for court calendars;
  - 44.2% average reduction for all types of day-to-day case related paper processing.

- Better Records Management. Record accessibility is improved and a more complete record is provided by maintaining all case information on the system, rather than having to reference a variety of books, cards, and files. TCIS also improves the accuracy of court records due to system edits and improves case monitoring and management by producing reports that track all cases.

During 1985-1986, the number of counties operating on TCIS was expanded by 60%. In 1985, TCIS was installed in the Lawyers Professional Responsibility Board Office and in the eight

counties of the Tenth Judicial District. Counties of the Seventh Judicial District were added in 1986. Blue Earth, Carlton and Kandiyohi counties also were brought into the St. Paul system as "pilots." Scheduled for 1987 are Winona, Itasca, Lyon and Dakota Counties. It is anticipated that more than 30% of the counties of the state will be on the TCIS system by the end of 1987.

Interest in TCIS has not been limited to Minnesota. In recent years, inquiries about TCIS have been received from other jurisdictions and system hardware and software vendors. As a result, the 1985 legislature granted the supreme court the authority to license TCIS and other court software. The execution of a non-exclusive distributorship and licensing agreement for TCIS software with Honeywell Bull, Inc. is expected in 1987.

## Alternative Dispute Resolution

Over the past several years the legal community has participated increasingly in the development and use of innovative ways of resolving disputes in a more efficient and cost-effective manner than traditional court processes. During 1985 and 1986 the court system played an integral role in such development.

In 1985 the state court administrator's office promulgated statewide guidelines for community dispute resolution programs and adopted interim farmer-lender mediation rules in 1986.

In addition, several supreme court advisory committees have adopted rules in other areas. In 1986 the Family Court Rules Committee recommended statewide rules pertaining to custody mediation which were adopted by the supreme court. The continuing education office of the state court administrator's office is responsible for certifying mediator training under the custody mediation rules. A further supreme court committee has been charged with the responsibility for the promulgation of rules governing the arbitration of no-fault insurance claims.

Two judicial district have also implemented alternative dispute resolution processes for the resolution of specific disputes in those courts:

Fourth Judicial District Arbitration

In July, 1985, the Fourth Judicial District implemented a system of mandatory non-binding arbitration for civil cases. All civil actions are subject to arbitration except actions for money damages in excess of $50,000, conciliation court actions, family law matters, unlawful detainers or actions involving title to real estate. The judge to whom a case is assigned may order, or the parties to a case may request, that actions otherwise excluded be submitted to arbitration.

Arbitrators are selected from attorneys who reside or practice in Hennepin County and have been admitted to practice law in the state for a minimum of five years.

During calendar year 1986, the first complete year the program was in existence, 65% (1,383) of the cases subject to arbitration were disposed through arbitration. The dispositions of all cases eligible for arbitration are shown below:

| | | |
|---|---|---|
| Pending from 1985 | 586 | |
| Submitted to Arbitration | 3,212 | |
| Removal by a judge | -192 | |
| Total cases subject to arb. | 3,606 | |
| Disposed through arbitration | 1,383 | (65%) |
| 960 - settlement | | |
| 423 - award accepted | | |
| Disposed through trial request | 761 | (35%) |
| Subtotal | 2,144 | |
| End Pending | 1,462 | |

Program administrators are pleased with the preliminary results of the arbitration program. The submission of civil cases to arbitration has saved judge time and has provided litigants with a cost-effective, less time-consuming forum for the resolution of their disputes.

## Second Judicial District Family Mediation

In January, 1986, Ramsey County Family Court began a pilot divorce mediation program. The purpose of this program is to reduce court delays and backlogs; to reduce the litigant costs associated with the divorce process; and to increase the satisfaction level of litigants involved in divorce proceedings.

Cases selected for mediation include only those in which custody is not at issue and both parties are represented by attorneys. A panel of 37 mediators has been established with mediators assigned cases on a random basis.

The first case was assigned to a mediator in March, 1986. During the remainder of 1986, 69 cases were ordered into mediation. Of the 62 cases actually mediated, 53% (33) were resolved through mediation and an additional 24% (15) were partially resolved. The dispositions of the 69 cases ordered into mediation during 1986 are depicted below.

| | | |
|---|---|---|
| Ordered into Mediation | | 69 |
| Removed-Allegation of Abuse | | -4 |
| Removed-Attempting Reconciliation | | -3 |
| Cases actually mediated | | 62 |
| Resolved in Mediation | 53% | 33 |
| Partial Resolution | 24% | 15 |
| Unable to Resolve Issues | 23% | 24 |
| | 100% | 62 |

Although it is too early to assess the full impact of the family mediation project, program administrators are pleased with initial findings. The mediation program is estimated to have reduced trial delay in Family Court 7-12%. At least 26 judge days in trial time were saved. Eighty-one percent (81%) of the participants were satisfied with the results of their case. Most felt that mediation produced a fair and quick resolution. Litigants felt they had sufficient opportunity to clarify their personal feelings about the issues within their dissolution.

## Minnesota Conference of Chief Judges

Minnesota law vests the responsibility for exercising general supervisory powers over the trial courts with the chief justice. In the Fall of 1985, the chief justice met with the Conference of Chief Judges to discuss the role and responsibilities of the conference in assisting the chief justice in the establishment of goals and policies governing trial court administration in the state of Minnesota. It was mutually agreed that the efficiency and productivity of the trial courts and the quality of justice provided by them would be best protected and insured by participation of the trial courts, through the conference, in the formulation and establishment of policies for the operations of the trial courts. As a result, the conference, assisted by the state court administrator and judicial district administrators, was given the primary responsibility for studying the operations of the trial courts and making recommendations, formulating policies, proposing legislation and taking such further actions it deems appropriate to improve the administration of justice in the trial courts of this state. The May 23, 1986 Supreme Court order creating the Conference of Chief Judges provided in part: "The Conference of Chief Judges will place the welfare of the entire statewide trial court system above the interests of the individual judicial districts in all of its deliberations and decisions."

The Conference comprises chief judges and assistant chief judges of the ten judicial districts. Each is selected to the position by the judges of the district. The Conference is

divided into four committees, each of which has unique responsibilities. They include:

Administration - Issues of statewide administrative concern are reviewed by this committee. Areas examined include records management, clerical operations, jury management, administrative structure, technology in the courts and the provision to the public of information on trial courts.

Caseflow Management - This committee is charged with monitoring the case processing status of the various judicial districts to identify backlog, delay, and other case processing and case management problems and to formulate recommendations for their improvement. The committee is currently undertaking a long-term statewide trial court delay reduction project.

Legislative - Coordination of the legislative activities of the trial courts in securing adequate funding for their operations and in seeking substantive legislation which will improve the administration of justice is the responsibility of this committee. In addition, the committee evaluates the financial and operational impact of proposed legislation which affects the court system and presents the position of the courts to the legislature.

Personnel - This committee reviews and recommends policy and procedure on issues affecting the structure, interrelationships and maintenance of personnel systems within the trial courts, including common procedures for the recruitment, selection, compensation, evaluation and discipline of court personnel. The committee is also charged with the responsibility for the periodic review of employee benefit packages and expense reimbursement policies and with the identification of educational topics for judicial and non-judicial personnel training programs.

The Conference, under the able guidance of its chairperson and vice-chairperson, Judges John J. Weyrens and Lawrence T. Collins, has done an exemplary job of following the directives set forth in the order creating the Conference and in subordinating parochial interests to the good of the system. During the past year the committees have considered a myriad of diverse issues. The Administration Committee has considered the problems created by unification, including the size of election

districts. The Caseflow Committee is monitoring a statewide delay reduction project which will identify delay problems on a district level and propose solutions suited to the local district. The Caseflow Committee also guided the most recent Weighted Caseload Study. The Personnel Committee has undertaken a comprehensive study of the three-tiered employment and funding structure within the court system to answer questions of supervision, responsibility, liability, and representation which have arisen frequently in the last two years as political units have sought to define or limit the nature of their relation to these employees. The Legislative Committee was responsible for the successful passage of several judiciary initiated bills, including legislation raising court fees for the first time in eight years and legislation giving the salary setting authority for the state court administrator and the judicial district administrators to the Supreme Court.

# APPENDIX A

Table A-1. Pending Caseloads by Case Type and Judicial District

First District

| Case Type | 1984 | 1985 | 1986 | Percent Change 84-85 | 85-86 | 84-86 |
|---|---|---|---|---|---|---|
| Criminal | | | | | | |
| First activated | 2,320 | 2,220 | 2,484 | -4% | 12% | 7% |
| Activated/reactivated | 2,846 | 3,064 | 3,475 | 8% | 13% | 22% |
| Disposed | 2,742 | 3,086 | 3,303 | 13% | 7% | 20% |
| Pending | 677 | 655 | 827 | -3% | 26% | 22% |
| Clearance Rate | 96% | 101% | 95% | | | |
| Civil | | | | | | |
| First activated | 2,676 | 2,958 | 3,481 | 11% | 18% | 30% |
| Activated/reactivated | 3,064 | 3,478 | 4,071 | 14% | 17% | 33% |
| Disposed | 2,960 | 3,566 | 3,975 | 20% | 11% | 34% |
| Pending | 847 | 759 | 855 | -10% | 13% | 1% |
| Clearance Rate | 97% | 103% | 98% | | | |
| Probate | | | | | | |
| First activated | 1,166 | 1,178 | 1,205 | 1% | 2% | 3% |
| Activated/reactivated | 1,421 | 1,373 | 1,498 | -3% | 9% | 5% |
| Disposed | 1,455 | 1,265 | 1,386 | -13% | 10% | -5% |
| Pending | 1,282 | 1,390 | 1,502 | 8% | 8% | 17% |
| Clearance Rate | 102% | 92% | 93% | | | |
| Family | | | | | | |
| First activated | 2,987 | 2,765 | 3,149 | -7% | 14% | 5% |
| Activated/reactivated | 4,325 | 4,147 | 4,847 | -4% | 17% | 12% |
| Disposed | 4,267 | 4,233 | 4,782 | -1% | 13% | 12% |
| Pending | 502 | 416 | 481 | -17% | 16% | -4% |
| Clearance Rate | 99% | 102% | 99% | | | |
| Juvenile | | | | | | |
| First activated | 2,441 | 2,341 | 2,797 | -4% | 19% | 15% |
| Activated/reactivated | 3,448 | 3,438 | 4,040 | -0% | 18% | 17% |
| Disposed | 3,341 | 3,463 | 3,908 | 4% | 13% | 17% |
| Pending | 326 | 301 | 433 | -8% | 44% | 33% |
| Clearance Rate | 97% | 101% | 97% | | | |
| Total | | | | | | |
| First activated | 11,590 | 11,462 | 13,116 | -1% | 14% | 13% |
| Activated/reactivated | 15,104 | 15,500 | 17,931 | 3% | 16% | 19% |
| Disposed | 14,765 | 15,613 | 17,354 | 6% | 11% | 18% |
| Pending | 3,634 | 3,521 | 4,098 | -3% | 16% | 13% |
| Clearance Rate | 98% | 101% | 97% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

Second District

| Case Type | 1984 | 1985 | 1986 | Percent Change 84-85 | 85-86 | 84-86 |
|---|---|---|---|---|---|---|
| Criminal | | | | | | |
| First activated | 2,870 | 3,037 | 2,910 | 6% | -4% | 1% |
| Activated/reactivated | 3,603 | 3,943 | 4,229 | 9% | 7% | 17% |
| Disposed | 3,315 | 3,992 | 4,273 | 20% | 7% | 29% |
| Pending | 1,017 | 968 | 924 | -5% | -5% | -9% |
| Clearance Rate | 92% | 101% | 101% | | | |
| Civil | | | | | | |
| First activated | 4,985 | 5,479 | 6,200 | 10% | 13% | 24% |
| Activated/reactivated | 5,851 | 6,386 | 7,162 | 9% | 12% | 22% |
| Disposed | 6,356 | 6,139 | 6,901 | -3% | 12% | 9% |
| Pending | 1,904 | 2,151 | 2,412 | 13% | 12% | 27% |
| Clearance Rate | 109% | 96% | 96% | | | |
| Probate | | | | | | |
| First activated | 1,662 | 1,779 | 1,932 | 7% | 9% | 16% |
| Activated/reactivated | 2,208 | 2,187 | 2,368 | -1% | 8% | 7% |
| Disposed | 3,147 | 2,463 | 1,975 | -22% | -20% | -37% |
| Pending | 2,535 | 2,259 | 2,652 | -11% | 17% | 5% |
| Clearance Rate | 143% | 113% | 83% | | | |
| Family | | | | | | |
| First activated | 4,403 | 4,413 | 4,288 | 0% | -3% | -3% |
| Activated/reactivated | 6,275 | 6,654 | 8,341 | 6% | 25% | 33% |
| Disposed | 6,085 | 6,819 | 8,928 | 12% | 31% | 47% |
| Pending | 1,312 | 1,147 | 560 | -13% | -51% | -57% |
| Clearance Rate | 97% | 102% | 107% | | | |
| Juvenile | | | | | | |
| First activated | 4,055 | 3,995 | 3,759 | -1% | -6% | -7% |
| Activated/reactivated | 9,980 | 9,946 | 8,934 | -0% | -10% | -10% |
| Disposed | 9,855 | 9,968 | 8,965 | 1% | -10% | -9% |
| Pending | 509 | 487 | 456 | -4% | -6% | -10% |
| Clearance Rate | 99% | 100% | 100% | | | |
| Total | | | | | | |
| First activated | 17,975 | 18,703 | 19,089 | 4% | 2% | 6% |
| Activated/reactivated | 27,917 | 29,116 | 31,034 | 4% | 7% | 11% |
| Disposed | 28,758 | 29,381 | 31,042 | 2% | 6% | 8% |
| Pending | 7,277 | 7,012 | 7,004 | -4% | -0% | -4% |
| Clearance Rate | 103% | 101% | 100% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

| Third District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 1,873 | 1,690 | 1,829 | -10% | 8% | -2% |
| Activated/reactivated | 2,245 | 2,114 | 2,407 | -6% | 14% | 7% |
| Disposed | 2,138 | 2,202 | 2,291 | 3% | 4% | 7% |
| Pending | 619 | 531 | 647 | -14% | 22% | 5% |
| Clearance Rate | 95% | 104% | 95% | | | |
| Civil | | | | | | |
| First activated | 1,428 | 1,686 | 1,661 | 18% | -1% | 16% |
| Activated/reactivated | 1,729 | 1,990 | 2,004 | 15% | 1% | 16% |
| Disposed | 1,774 | 1,949 | 1,956 | 10% | 0% | 10% |
| Pending | 578 | 619 | 667 | 7% | 8% | 15% |
| Clearance Rate | 103% | 98% | 98% | | | |
| Probate | | | | | | |
| First activated | 1,681 | 1,657 | 1,744 | -1% | 5% | 4% |
| Activated/reactivated | 2,098 | 2,108 | 2,258 | 0% | 7% | 8% |
| Disposed | 2,249 | 1,967 | 2,255 | -13% | 15% | 0% |
| Pending | 1,840 | 1,981 | 1,984 | 8% | 0% | 8% |
| Clearance Rate | 107% | 93% | 100% | | | |
| Family | | | | | | |
| First activated | 2,584 | 2,456 | 2,652 | -5% | 8% | 3% |
| Activated/reactivated | 4,428 | 4,132 | 4,468 | -7% | 8% | 1% |
| Disposed | 4,409 | 4,125 | 4,437 | -6% | 8% | 1% |
| Pending | 407 | 414 | 445 | 2% | 7% | 9% |
| Clearance Rate | 100% | 100% | 99% | | | |
| Juvenile | | | | | | |
| First activated | 2,282 | 2,450 | 2,650 | 7% | 8% | 16% |
| Activated/reactivated | 3,124 | 3,392 | 3,863 | 9% | 14% | 24% |
| Disposed | 2,991 | 3,389 | 3,925 | 13% | 16% | 31% |
| Pending | 459 | 462 | 400 | 1% | -13% | -13% |
| Clearance Rate | 96% | 100% | 102% | | | |
| Total | | | | | | |
| First activated | 9,848 | 9,939 | 10,536 | 1% | 6% | 7% |
| Activated/reactivated | 13,624 | 13,736 | 15,000 | 1% | 9% | 10% |
| Disposed | 13,561 | 13,632 | 14,864 | 1% | 9% | 10% |
| Pending | 3,903 | 4,007 | 4,143 | 3% | 3% | 6% |
| Clearance Rate | 100% | 99% | 99% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

| Fourth District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 5,403 | 5,683 | 6,377 | 5% | 12% | 18% |
| Activated/reactivated | 8,381 | 9,059 | 9,723 | 8% | 7% | 16% |
| Disposed | 7,841 | 9,279 | 9,935 | 18% | 7% | 27% |
| Pending | 2,177 | 1,957 | 1,745 | -10% | -11% | -20% |
| Clearance Rate | 94% | 102% | 102% | | | |
| Civil | | | | | | |
| First activated | 12,695 | 14,814 | 15,854 | 17% | 7% | 25% |
| Activated/reactivated | 15,071 | 17,269 | 20,993 | 15% | 22% | 39% |
| Disposed | 16,153 | 17,640 | 19,596 | 9% | 11% | 21% |
| Pending | 2,712 | 2,341 | 3,738 | -14% | 60% | 38% |
| Clearance Rate | 107% | 102% | 93% | | | |
| Probate | | | | | | |
| First activated | 3,190 | 3,699 | 3,393 | 16% | -8% | 6% |
| Activated/reactivated | 5,066 | 5,895 | 5,614 | 16% | -5% | 11% |
| Disposed | 5,463 | 5,704 | 5,379 | 4% | -6% | -2% |
| Pending | 3,928 | 4,119 | 4,354 | 5% | 6% | 11% |
| Clearance Rate | 108% | 97% | 96% | | | |
| Family | | | | | | |
| First activated | 8,578 | 8,734 | 9,284 | 2% | 6% | 8% |
| Activated/reactivated | 14,753 | 15,211 | 17,248 | 3% | 13% | 17% |
| Disposed | 15,353 | 15,263 | 17,272 | -1% | 13% | 12% |
| Pending | 976 | 924 | 900 | -5% | -3% | -8% |
| Clearance Rate | 104% | 100% | 100% | | | |
| Juvenile | | | | | | |
| First activated | 7,542 | 7,709 | 8,177 | 2% | 6% | 8% |
| Activated/reactivated | 7,357 | 10,152 | 12,627 | 38% | 24% | 72% |
| Disposed | 6,439 | 9,568 | 12,117 | 49% | 27% | 88% |
| Pending | 1,905 | 2,489 | 2,999 | 31% | 20% | 57% |
| Clearance Rate | 88% | 94% | 96% | | | |
| Total | | | | | | |
| First activated | 37,408 | 40,639 | 43,085 | 9% | 6% | 15% |
| Activated/reactivated | 50,628 | 57,586 | 66,205 | 14% | 15% | 31% |
| Disposed | 51,249 | 57,454 | 64,299 | 12% | 12% | 25% |
| Pending | 11,698 | 11,830 | 13,736 | 1% | 16% | 17% |
| Clearance Rate | 101% | 100% | 97% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

| Fifth District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 1,213 | 1,335 | 1,283 | 10% | -4% | 6% |
| Activated/reactivated | 1,459 | 1,637 | 1,664 | 12% | 2% | 14% |
| Disposed | 1,498 | 1,608 | 1,666 | 7% | 4% | 11% |
| Pending | 300 | 329 | 327 | 10% | -1% | 9% |
| Clearance Rate | 103% | 98% | 100% | | | |
| Civil | | | | | | |
| First activated | 1,030 | 1,225 | 1,223 | 19% | -0% | 19% |
| Activated/reactivated | 1,273 | 1,534 | 1,692 | 21% | 10% | 33% |
| Disposed | 1,259 | 1,558 | 1,772 | 24% | 14% | 41% |
| Pending | 391 | 367 | 287 | -6% | -22% | -27% |
| Clearance Rate | 99% | 102% | 105% | | | |
| Probate | | | | | | |
| First activated | 1,806 | 1,824 | 1,733 | 1% | -5% | -4% |
| Activated/reactivated | 2,327 | 2,419 | 2,353 | 4% | -3% | 1% |
| Disposed | 2,687 | 2,331 | 2,179 | -13% | -7% | -19% |
| Pending | 2,137 | 2,225 | 2,399 | 4% | 8% | 12% |
| Clearance Rate | 115% | 96% | 93% | | | |
| Family | | | | | | |
| First activated | 1,568 | 1,628 | 1,578 | 4% | -3% | 1% |
| Activated/reactivated | 2,387 | 2,670 | 2,767 | 12% | 4% | 16% |
| Disposed | 2,334 | 2,688 | 2,812 | 15% | 5% | 20% |
| Pending | 250 | 232 | 187 | -7% | -19% | -25% |
| Clearance Rate | 98% | 101% | 102% | | | |
| Juvenile | | | | | | |
| First activated | 1,616 | 1,699 | 1,825 | 5% | 7% | 13% |
| Activated/reactivated | 1,993 | 2,038 | 2,354 | 2% | 16% | 18% |
| Disposed | 1,973 | 2,021 | 2,391 | 2% | 18% | 21% |
| Pending | 219 | 236 | 199 | 8% | -16% | -9% |
| Clearance Rate | 99% | 99% | 102% | | | |
| Total | | | | | | |
| First activated | 7,233 | 7,711 | 7,642 | 7% | -1% | 6% |
| Activated/reactivated | 9,439 | 10,298 | 10,830 | 9% | 5% | 15% |
| Disposed | 9,751 | 10,206 | 10,820 | 5% | 6% | 11% |
| Pending | 3,297 | 3,389 | 3,399 | 3% | 0% | 3% |
| Clearance Rate | 103% | 99% | 100% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

Sixth District

| Case Type | 1984 | 1985 | 1986 | Percent Change 84-85 | 85-86 | 84-86 |
|---|---|---|---|---|---|---|
| Criminal | | | | | | |
| First activated | 1,319 | 1,382 | 1,357 | 5% | -2% | 3% |
| Activated/reactivated | 1,656 | 1,727 | 1,699 | 4% | -2% | 3% |
| Disposed | 1,680 | 1,648 | 1,702 | -2% | 3% | 1% |
| Pending | 304 | 383 | 380 | 26% | -1% | 25% |
| Clearance Rate | 101% | 95% | 100% | | | |
| Civil | | | | | | |
| First activated | 1,070 | 1,133 | 1,172 | 6% | 3% | 10% |
| Activated/reactivated | 1,397 | 1,488 | 1,611 | 7% | 8% | 15% |
| Disposed | 1,510 | 1,548 | 1,628 | 3% | 5% | 8% |
| Pending | 351 | 291 | 274 | -17% | -6% | -22% |
| Clearance Rate | 108% | 104% | 101% | | | |
| Probate | | | | | | |
| First activated | 926 | 934 | 1,043 | 1% | 12% | 13% |
| Activated/reactivated | 1,222 | 1,203 | 1,408 | -2% | 17% | 15% |
| Disposed | 1,338 | 1,186 | 1,315 | -11% | 11% | -2% |
| Pending | 1,054 | 1,071 | 1,164 | 2% | 9% | 10% |
| Clearance Rate | 109% | 99% | 93% | | | |
| Family | | | | | | |
| First activated | 2,064 | 1,745 | 3,235 | -15% | 85% | 57% |
| Activated/reactivated | 3,907 | 3,805 | 5,916 | -3% | 55% | 51% |
| Disposed | 3,896 | 3,833 | 5,890 | -2% | 54% | 51% |
| Pending | 316 | 288 | 314 | -9% | 9% | -1% |
| Clearance Rate | 100% | 101% | 100% | | | |
| Juvenile | | | | | | |
| First activated | 1,511 | 1,776 | 2,009 | 18% | 13% | 33% |
| Activated/reactivated | 4,051 | 4,636 | 4,844 | 14% | 4% | 20% |
| Disposed | 3,986 | 4,624 | 4,832 | 16% | 4% | 21% |
| Pending | 213 | 225 | 237 | 6% | 5% | 11% |
| Clearance Rate | 98% | 100% | 100% | | | |
| Total | | | | | | |
| First activated | 6,890 | 6,970 | 8,816 | 1% | 26% | 28% |
| Activated/reactivated | 12,233 | 12,859 | 15,478 | 5% | 20% | 27% |
| Disposed | 12,410 | 12,839 | 15,367 | 3% | 20% | 24% |
| Pending | 2,238 | 2,258 | 2,369 | 1% | 5% | 6% |
| Clearance Rate | 101% | 100% | 99% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

Seventh District

| Case Type | 1984 | 1985 | 1986 | Percent Change 84-85 | 85-86 | 84-86 |
|---|---|---|---|---|---|---|
| Criminal | | | | | | |
| First activated | 2,049 | 2,517 | 2,254 | 23% | -10% | 10% |
| Activated/reactivated | 2,662 | 3,226 | 3,022 | 21% | -6% | 14% |
| Disposed | 2,592 | 3,243 | 3,081 | 25% | -5% | 19% |
| Pending | 659 | 642 | 583 | -3% | -9% | -12% |
| Clearance Rate | 97% | 101% | 102% | | | |
| Civil | | | | | | |
| First activated | 1,479 | 1,653 | 1,721 | 12% | 4% | 16% |
| Activated/reactivated | 2,041 | 2,312 | 2,351 | 13% | 2% | 15% |
| Disposed | 2,040 | 2,237 | 2,297 | 10% | 3% | 13% |
| Pending | 328 | 403 | 457 | 23% | 13% | 39% |
| Clearance Rate | 100% | 97% | 98% | | | |
| Probate | | | | | | |
| First activated | 1,511 | 1,481 | 1,596 | -2% | 8% | 6% |
| Activated/reactivated | 1,924 | 1,937 | 2,073 | 1% | 7% | 8% |
| Disposed | 1,945 | 1,806 | 1,835 | -7% | 2% | -6% |
| Pending | 1,468 | 1,599 | 1,837 | 9% | 15% | 25% |
| Clearance Rate | 101% | 93% | 89% | | | |
| Family | | | | | | |
| First activated | 2,100 | 2,220 | 2,270 | 6% | 2% | 8% |
| Activated/reactivated | 3,202 | 3,376 | 3,870 | 5% | 15% | 21% |
| Disposed | 3,164 | 3,410 | 3,848 | 8% | 13% | 22% |
| Pending | 187 | 153 | 175 | -18% | 14% | -6% |
| Clearance Rate | 99% | 101% | 99% | | | |
| Juvenile | | | | | | |
| First activated | 2,562 | 2,707 | 3,262 | 6% | 21% | 27% |
| Activated/reactivated | 2,933 | 3,372 | 4,227 | 15% | 25% | 44% |
| Disposed | 2,840 | 3,458 | 4,105 | 22% | 19% | 45% |
| Pending | 368 | 282 | 404 | -23% | 43% | 10% |
| Clearance Rate | 97% | 103% | 97% | | | |
| Total | | | | | | |
| First activated | 9,701 | 10,578 | 11,103 | 9% | 5% | 14% |
| Activated/reactivated | 12,762 | 14,223 | 15,543 | 11% | 9% | 22% |
| Disposed | 12,581 | 14,154 | 15,166 | 13% | 7% | 21% |
| Pending | 3,010 | 3,079 | 3,456 | 2% | 12% | 15% |
| Clearance Rate | 99% | 100% | 98% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

| Eighth District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 721 | 703 | 768 | -2% | 9% | 7% |
| Activated/reactivated | 891 | 858 | 938 | -4% | 9% | 5% |
| Disposed | 879 | 868 | 934 | -1% | 8% | 6% |
| Pending | 175 | 165 | 169 | -6% | 2% | -3% |
| Clearance Rate | 99% | 101% | 100% | | | |
| Civil | | | | | | |
| First activated | 691 | 761 | 870 | 10% | 14% | 26% |
| Activated/reactivated | 898 | 954 | 1,260 | 6% | 32% | 40% |
| Disposed | 915 | 969 | 1,293 | 6% | 33% | 41% |
| Pending | 260 | 245 | 212 | -6% | -13% | -18% |
| Clearance Rate | 102% | 102% | 103% | | | |
| Probate | | | | | | |
| First activated | 1,069 | 1,084 | 1,088 | 1% | 0% | 2% |
| Activated/reactivated | 1,397 | 1,453 | 1,502 | 4% | 3% | 8% |
| Disposed | 1,581 | 1,497 | 1,492 | -5% | -0% | -6% |
| Pending | 1,198 | 1,154 | 1,164 | -4% | 1% | -3% |
| Clearance Rate | 113% | 103% | 99% | | | |
| Family | | | | | | |
| First activated | 906 | 968 | 878 | 7% | -9% | -3% |
| Activated/reactivated | 1,442 | 1,493 | 1,410 | 4% | -6% | -2% |
| Disposed | 1,416 | 1,517 | 1,446 | 7% | -5% | 2% |
| Pending | 137 | 113 | 77 | -18% | -32% | -44% |
| Clearance Rate | 98% | 102% | 103% | | | |
| Juvenile | | | | | | |
| First activated | 1,106 | 1,154 | 1,275 | 4% | 10% | 15% |
| Activated/reactivated | 1,423 | 1,581 | 1,674 | 11% | 6% | 18% |
| Disposed | 1,374 | 1,621 | 1,647 | 18% | 2% | 20% |
| Pending | 188 | 148 | 175 | -21% | 18% | -7% |
| Clearance Rate | 97% | 103% | 98% | | | |
| Total | | | | | | |
| First activated | 4,493 | 4,670 | 4,879 | 4% | 4% | 9% |
| Activated/reactivated | 6,051 | 6,339 | 6,784 | 5% | 7% | 12% |
| Disposed | 6,165 | 6,472 | 6,812 | 5% | 5% | 10% |
| Pending | 1,958 | 1,825 | 1,797 | -7% | -2% | -8% |
| Clearance Rate | 102% | 102% | 100% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

| Ninth District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 1,923 | 2,042 | 1,888 | 6% | -8% | -2% |
| Activated/reactivated | 2,473 | 2,763 | 2,766 | 12% | 0% | 12% |
| Disposed | 2,476 | 2,776 | 2,724 | 12% | -2% | 10% |
| Pending | 516 | 503 | 545 | -3% | 8% | 6% |
| Clearance Rate | 100% | 100% | 98% | | | |
| Civil | | | | | | |
| First activated | 1,398 | 1,433 | 1,380 | 3% | -4% | -1% |
| Activated/reactivated | 1,736 | 1,884 | 1,757 | 9% | -7% | 1% |
| Disposed | 1,752 | 1,856 | 1,776 | 6% | -4% | 1% |
| Pending | 375 | 403 | 384 | 7% | -5% | 2% |
| Clearance Rate | 101% | 99% | 101% | | | |
| Probate | | | | | | |
| First activated | 1,463 | 1,472 | 1,448 | 1% | -2% | -1% |
| Activated/reactivated | 1,955 | 1,966 | 1,977 | 1% | 1% | 1% |
| Disposed | 2,039 | 2,039 | 1,869 | 0% | -8% | -8% |
| Pending | 1,626 | 1,553 | 1,661 | -4% | 7% | 2% |
| Clearance Rate | 104% | 104% | 95% | | | |
| Family | | | | | | |
| First activated | 2,378 | 2,341 | 2,286 | -2% | -2% | -4% |
| Activated/reactivated | 3,632 | 3,649 | 3,727 | 0% | 2% | 3% |
| Disposed | 3,670 | 3,640 | 3,716 | -1% | 2% | 1% |
| Pending | 260 | 269 | 280 | 3% | 4% | 8% |
| Clearance Rate | 101% | 100% | 100% | | | |
| Juvenile | | | | | | |
| First activated | 2,457 | 2,320 | 2,639 | -6% | 14% | 7% |
| Activated/reactivated | 3,157 | 3,008 | 3,452 | -5% | 15% | 9% |
| Disposed | 3,071 | 3,033 | 3,459 | -1% | 14% | 13% |
| Pending | 550 | 525 | 518 | -5% | -1% | -6% |
| Clearance Rate | 97% | 101% | 100% | | | |
| Total | | | | | | |
| First activated | 9,619 | 9,608 | 9,641 | -0% | 0% | 0% |
| Activated/reactivated | 12,953 | 13,270 | 13,679 | 2% | 3% | 6% |
| Disposed | 13,008 | 13,344 | 13,544 | 3% | 1% | 4% |
| Pending | 3,327 | 3,253 | 3,388 | -2% | 4% | 2% |
| Clearance Rate | 100% | 101% | 99% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

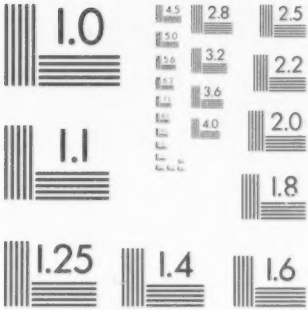
| Tenth District | | | | Percent Change | | |
|---|---|---|---|---|---|---|
| Case Type | 1984 | 1985 | 1986 | 84-85 | 85-86 | 84-86 |
| Criminal | | | | | | |
| First activated | 2,780 | 3,000 | 3,338 | 8% | 11% | 20% |
| Activated/reactivated | 3,933 | 4,383 | 5,247 | 11% | 20% | 33% |
| Disposed | 3,848 | 4,265 | 4,775 | 11% | 12% | 24% |
| Pending | 738 | 856 | 1,328 | 16% | 55% | 80% |
| Clearance Rate | 98% | 97% | 91% | | | |
| Civil | | | | | | |
| First activated | 3,099 | 3,635 | 4,001 | 17% | 10% | 29% |
| Activated/reactivated | 3,703 | 4,464 | 5,079 | 21% | 14% | 37% |
| Disposed | 3,845 | 4,448 | 4,921 | 16% | 11% | 28% |
| Pending | 454 | 470 | 628 | 4% | 34% | 38% |
| Clearance Rate | 104% | 100% | 97% | | | |
| Probate | | | | | | |
| First activated | 1,149 | 1,221 | 1,258 | 6% | 3% | 9% |
| Activated/reactivated | 1,547 | 1,697 | 1,759 | 10% | 4% | 14% |
| Disposed | 1,552 | 1,452 | 1,449 | -6% | -0% | -7% |
| Pending | 1,264 | 1,509 | 1,819 | 19% | 21% | 44% |
| Clearance Rate | 100% | 86% | 82% | | | |
| Family | | | | | | |
| First activated | 4,061 | 4,156 | 4,302 | 2% | 4% | 6% |
| Activated/reactivated | 6,930 | 7,533 | 7,995 | 9% | 6% | 15% |
| Disposed | 6,942 | 7,585 | 7,966 | 9% | 5% | 15% |
| Pending | 492 | 440 | 469 | -11% | 7% | -5% |
| Clearance Rate | 100% | 101% | 100% | | | |
| Juvenile | | | | | | |
| First activated | 3,356 | 3,390 | 3,743 | 1% | 10% | 12% |
| Activated/reactivated | 5,814 | 6,018 | 6,636 | 4% | 10% | 14% |
| Disposed | 5,636 | 5,930 | 6,518 | 5% | 10% | 16% |
| Pending | 632 | 720 | 838 | 14% | 16% | 33% |
| Clearance Rate | 97% | 99% | 98% | | | |
| Total | | | | | | |
| First activated | 14,445 | 15,402 | 16,642 | 7% | 8% | 15% |
| Activated/reactivated | 21,927 | 24,095 | 26,716 | 10% | 11% | 22% |
| Disposed | 21,823 | 23,680 | 25,629 | 9% | 8% | 17% |
| Pending | 3,580 | 3,995 | 5,082 | 12% | 27% | 42% |
| Clearance Rate | 100% | 98% | 96% | | | |

Table A-1. Pending Caseloads by Case Type and Judicial District

Statewide

| Case Type | 1984 | 1985 | 1986 | Percent Change 84-85 | 85-86 | 84-86 |
|---|---|---|---|---|---|---|
| Criminal | | | | | | |
| First activated | 22,471 | 23,609 | 24,488 | 5% | 4% | 9% |
| Activated/reactivated | 30,149 | 32,774 | 35,170 | 9% | 7% | 17% |
| Disposed | 29,009 | 32,967 | 34,684 | 14% | 5% | 20% |
| Pending | 7,182 | 6,989 | 7,475 | -3% | 7% | 4% |
| Clearance Rate | 96% | 101% | 99% | | | |
| Civil | | | | | | |
| First activated | 30,551 | 34,777 | 37,563 | 14% | 8% | 23% |
| Activated/reactivated | 36,763 | 41,759 | 47,980 | 14% | 15% | 31% |
| Disposed | 38,564 | 41,910 | 46,115 | 9% | 10% | 20% |
| Pending | 8,200 | 8,049 | 9,914 | -2% | 23% | 21% |
| Clearance Rate | 105% | 100% | 96% | | | |
| Probate | | | | | | |
| First activated | 15,623 | 16,329 | 16,440 | 5% | 1% | 5% |
| Activated/reactivated | 21,165 | 22,238 | 22,810 | 5% | 3% | 8% |
| Disposed | 23,456 | 21,710 | 21,134 | -7% | -3% | -10% |
| Pending | 18,332 | 18,860 | 20,536 | 3% | 9% | 12% |
| Clearance Rate | 111% | 98% | 93% | | | |
| Family | | | | | | |
| First activated | 31,629 | 31,426 | 33,922 | -1% | 8% | 7% |
| Activated/reactivated | 51,281 | 52,670 | 60,589 | 3% | 15% | 18% |
| Disposed | 51,536 | 53,113 | 61,097 | 3% | 15% | 19% |
| Pending | 4,839 | 4,396 | 3,888 | -9% | -12% | -20% |
| Clearance Rate | 100% | 101% | 101% | | | |
| Juvenile | | | | | | |
| First activated | 28,928 | 29,541 | 32,136 | 2% | 9% | 11% |
| Activated/reactivated | 43,280 | 47,581 | 52,651 | 10% | 11% | 22% |
| Disposed | 41,506 | 47,075 | 51,867 | 13% | 10% | 25% |
| Pending | 5,369 | 5,875 | 6,659 | 9% | 13% | 24% |
| Clearance Rate | 96% | 99% | 99% | | | |
| Total | | | | | | |
| First activated | 129,202 | 135,682 | 144,549 | 5% | 7% | 12% |
| Activated/reactivated | 182,638 | 197,022 | 219,200 | 8% | 11% | 20% |
| Disposed | 184,071 | 196,775 | 214,897 | 7% | 9% | 17% |
| Pending | 43,922 | 44,169 | 48,472 | 1% | 10% | 10% |
| Clearance Rate | 101% | 100% | 98% | | | |

MICROCOPY RESOLUTION TEST CHART
NBS - 1010a
(ANSI and ISO TEST CHART No. 2)




PHOTOGRAPHIC SCIENCES CORPORATION
770 BASKET ROAD
P.O. BOX 338
WEBSTER, NEW YORK 14580
(716) 265-1600

24:1

CIS
Congressional Information Service, Inc.
Washington, D.C.